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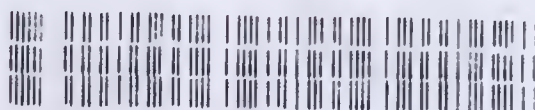
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**HARRISBURG, PA.**

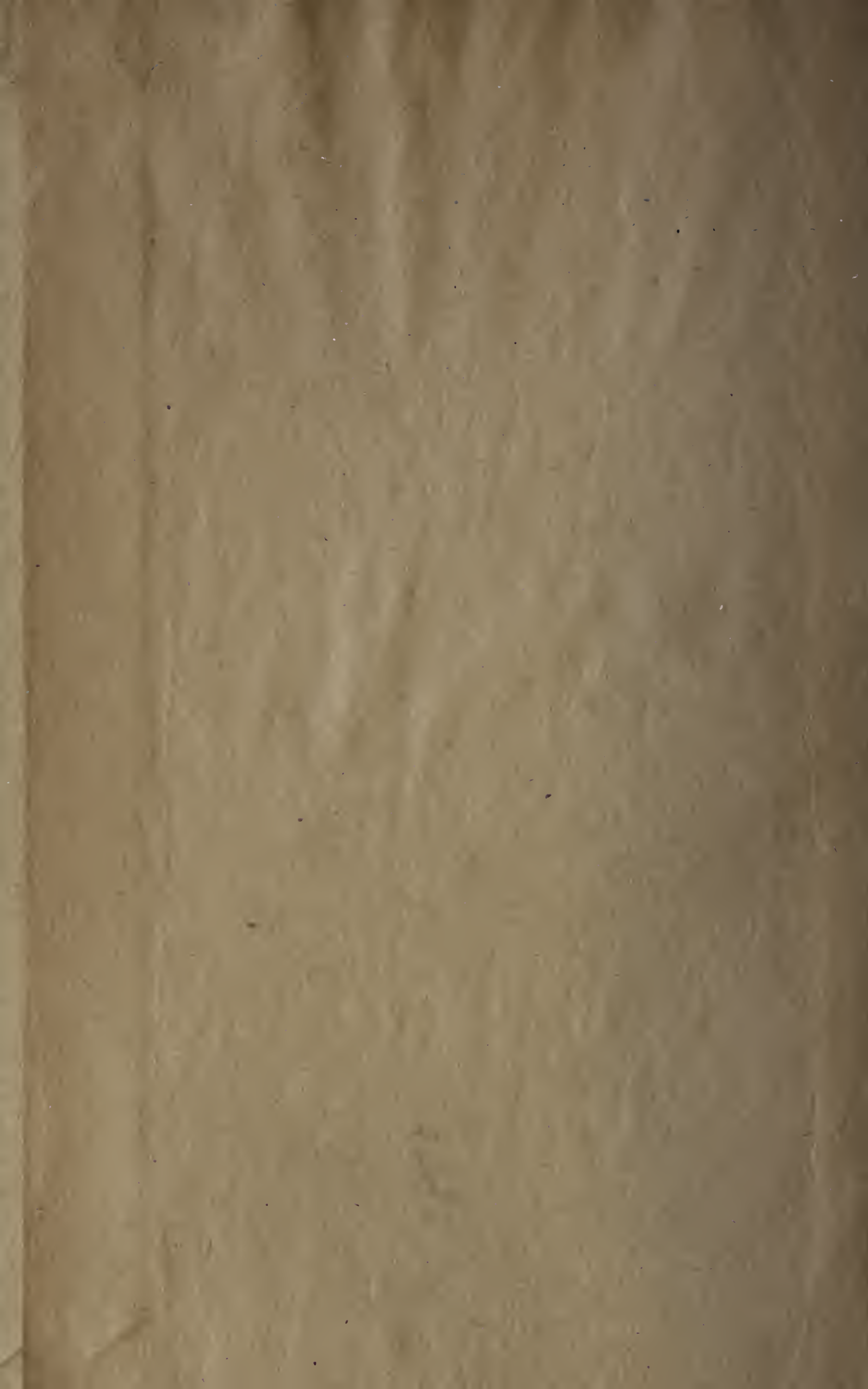


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# Arbitration Between Peru and Chile

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## APPENDIX TO THE COUNTER CASE OF PERU

In the matter of the controversy  
arising out of the

### QUESTION OF THE PACIFIC

*Before the*  
President of the United States of America  
Arbitrator

*Under the*  
Protocol and Supplementary Act between the Republic of Peru  
and the Republic of Chile, signed July 20, 1922, at  
Washington, D. C., ratified January 15, 1923



WASHINGTON  
1924



NATIONAL CAPITAL PRESS, INC., WASHINGTON, D. C.

## Preface

The Peruvian Defense Commission respectfully submits that it feels under impelling obligation to call to the attention of the Honorable Arbitrator the fact that pending the determination of these proceedings there has been circulated, obviously for the purpose of propaganda and to influence public opinion in the United States, a pamphlet dated 1923 purporting to have been issued under the authority of the Information Section of the Ministry of Foreign Affairs of Chile, which has been widely and most unethically circulated in the United States during the last few months, the purpose of which is, of course, to discredit the statements and incontrovertible proofs presented by the Peruvian Government respecting the inhuman treatment meted out to Peruvian citizens by the Chilean authorities in Tacna and Arica.

This pamphlet, intended to mislead public opinion in the United States, is not a part of the Chilean Case, and owing to its general and extra-official dissemination, is not entitled, therefore, to a specific refutation in the Counter-Case. It would be easy, otherwise, to prove that this pamphlet—which, by the way, mainly consists of reprints of anonymous and irresponsible interviews which appeared in the Chilean daily *El Pacífico* of Tacna, the mouthpiece of those instigators of the incredibly violent campaign of Chilenization—merely proves what poor means have been selected to attempt to disprove what is patent to, and censured by, the whole civilized world, as well as to convey the impression in the United States that the thousands of Peruvians who have evacuated Tacna and Arica after being grossly abused and mistreated, despoiled of all they possessed and ruined financially, have doubtless done so voluntarily and for the mere empty satisfaction of stigmatizing such a high-minded government as that of Chile, by imputing to it the responsibility for the abuses of which they have been the victims.

Owing, likewise, to its extra-official character which saves it from an official refutation, another pamphlet entitled “Chilean Administration in Tacna and Arica, 1923,” which has been distributed together with the former, must be considered. This publication endeavors to prove, by the reproduction of propaganda material which appeared in a subsidized sheet, that the Chilean



Government has executed many important public works in the Peruvian provinces above mentioned, to which effect the pamphlet is profusely illustrated with photographs which strive to impress and convince the reader of the truth of the assertions contained in the text; though, unfortunately, the more important of the photographic views which appear in this publication are those of works executed and paid for by the Peruvian Government before the provinces were turned over to Chile; while in some cases the final payments on these works were effected by the Peruvian Government when the territories had already been handed over to Chile in temporary tenure. The Arica-to-Tacna Railroad was the second which was built in Peru in 1856, the capital for this enterprise having been guaranteed by the Peruvian Government, which, for a number of years, was forced to fulfill the obligations assumed in this contract; the pier, the Customs House, and the churches of Arica and Tacna, all of them important buildings constructed of steel and stone, carried out by the French contracting firm of Eiffel from 1874 to 1879, at a cost to the Peruvian taxpayers of several millions, have brought the Chilean Government a steady and considerable income; the building of the Uchusuma Canal, 21 miles long, and the damming of the waters of the Condorpico Lagoons, among the most important irrigation works undertaken by Peru up to 1879, extant to this day and which were decided upon so as to increase the agricultural area of the provinces, were carried out in the face of considerable natural difficulties presented by the geological and topographical nature of the region, and were effected by the Peruvian Government between 1868 and 1874 at a cost of over \$2,000,000. These works were repaired in 1892 by the Peruvian Government at a cost of almost \$100,000, while the provinces were, therefore, still in occupation by Chile, who, however, did not consider her dignity or prestige unduly affected thereby. The same applies to almost all the public buildings in Tacna, although the earthquake of 1868 completely wiped out Arica and caused extensive damage in Tacna.

Chile, on the other hand, at the end of the 44 years of her occupation which, since 1880, has brought her considerable revenue, is forced at this late date to appeal to the photographer's unreliable art for the purpose of bolstering up a succession of paid newspaper articles, and to compel the belief that during this lengthy period she has sedulously striven for the material welfare and advancement of an alien territory; while, if the inhabitants thereof were allowed to remain unmolested for those first 17 years

of Chilean occupation, this was due solely to the fact that the territories themselves at the time, were left in a condition of complete abandonment by the Chilean administration; and when, at last, endeavoring to conceal her thirst for conquest, Chile seemed to show some concern respecting the progress of these territories, it was exteriorized by the steady and unabated persecution and inhuman treatment of the unhappy denizens of our irredentist provinces, a persecution which has endured to this very day and is substituted by Chile for a normal form of government. This is the real interpretation of that much vaunted progress which the Chilean Government claims to have achieved in Tacna and Arica after almost half a century of illegal occupation, a progress to which the Chilean Case deprecatingly alludes by confounding, among the voluminous documents of its Appendix, an uncorroborated and unauthenticated statement, replete with inaccuracies and intentional omissions.

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The following extracts are taken from original documents of an official, semiofficial and private character, and testify to the illegal and arbitrary methods put in practice by the Chilean authorities in the Peruvian Provinces in occupation so as to secure, at all costs, the evacuation of these territories by the Peruvian denizens thereof.

The extracts given herein cannot fail to compel the conviction, in addition to proving the widespread extent of the campaign of systematic persecution and terror which obtains in the irredentist provinces, that this campaign is directly inspired by the Chilean Government itself, and zealously executed by its administrative, judicial and military authorities in the territories in question, so as to cause the native population to emigrate when it is not forcibly deported; while, for the purpose of inflaming Chilean public opinion in general against all citizens of Peruvian nationality—not alone in the Provinces of Tacna, Arica and Tarata, but even in other Chilean cities such as Valparaiso and Antofagasta—Chilean residents have been appealed to by means of widely distributed leaflets and notices in the public press, and the aid enlisted of private institutions and Masonic associations, which latter, by a grotesque travesty of the fraternal character of their precepts, have not scrupled to lend their cooperation to the furtherance of such unlawful ends.

The spontaneous testimony of several individuals of different



nationalities, each duly attested by the appropriate legal and judicial authorities, speaks for itself through its disinterested character; while the opinion of Sr. Carlos Vicuña Fuentes, one of the foremost lawyers of Chile, eminent through his writings, his social standing and connections and his position as a university professor, with regard to the temper of the Court of Appeals of Chile as then constituted, cannot but be considered as illuminating in regard to the very source of the campaign in question. (See page xxvii.)

P. L. S. DE LA P.

ANTOFAGASTA, *December 5, 1918.*

*Lodge "The Condors"*

SR. T. G. DEL RIEGO,

*City.*

SIR:

Acting upon orders from the Lodge, we hereby summon you to leave the Republic of Chile within 10 *days* counted from the present date.

Should you refuse to obey our decision, we shall be compelled to employ the energetic measures which the Association of Patriotic Leagues has at its command.

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(Countermarked with the personal secret sign of the officers of the above Lodge.)

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*Club de La Unión,*

*Antofagasta.*

*December 14, 1918.*

SR. TORCUATO GONZÁLEZ DEL RIEGO,

*City.*

DEAR SIR:

I wish to bring to your attention that the Membership Committee, at its meeting held yesterday, adopted the following decision:

"That owing to the international state of affairs existing between Chile and Peru, which is publicly known, and for the purpose of preventing any unpleasantness which, however, is unavoidable, the members of Peruvian nationality, either Charter, Subscribing or Visiting members, are hereby informed that they have ceased to be *personae gratae* and will,



in future, and until further notice, abstain from using the Club premises, their dues as members of the Association being likewise held in abeyance. It was also decided to carry the above resolution into effect without awaiting the approval of the Minutes."

Which I hereby bring to your notice in obedience to the instructions of the Membership Committee of the Club and for such purpose as may be necessary.

Yours truly,  
(Signed) ARMANDO GAISSLER PISANO,  
*Secretary pro tem.*

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TO THE PEOPLE OF ANTOFAGASTA  
(Coat of Arms of the Chilean Republic)

The Lodge "The Condors" requests the inhabitants of this port and of the surrounding districts to abstain from undertaking any commercial transaction with the firms whose names appear on the present notice, even though the Peruvian owners thereof may have already left our country:

Jorge Larrieu (Customs House Agent).  
Larrieu & Company (Customs House Agents).  
Antonio Solari (Small Ware Stores "El Serrucho" and Branches).  
Emilio Ramírez (Commission Agent).  
T. del Riego (Insurance Agent).  
R. de la Flor & Co. (Merchants).  
Jorge Espinosa & Gonzalez (Tailors).  
Antonio R. Arce (Phonograph and Talking Machines).  
Brain & Company (Commission Agents).  
Nigno Neira (Limache Estate).  
Luis Bolton (Commission Agent).  
Armando Ibarra (Green Grocer).

(Signed) THE GOVERNING BOARD.

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THE PATRIOTIC LEAGUE  
(From *El Mercurio* of Valparaiso)

Yesterday at 8.30 the Governing Board of the Patriotic League held a meeting, those present including the President, José Dolores Vásquez; the Vice-President, Federico Julián; the Secretaries, Rodrigo García Lyon, and Manuel Ortúzar; of the Directors, Luis Toro Mazote, Ezequiel Calé, Alamiro Aguirre, Carlos Lorca F., and various directors of the Federation of Reserve Officers.

The Minutes of the preceding session were read and approved. Numerous applications for membership and letters of congratulation were likewise read, among them one from the Colonel on the Retired List, a veteran of '79, Ricardo Jara Ugarte. . . . .

The Board then undertook the examination of the numerous letters denouncing Peruvian citizens established in this Port, who shall be made to leave by every possible means in case they do not voluntarily do so before more energetic and forcible methods are adopted.

For the present, the League is content to state that within a week the newspapers will begin the publication of lists containing the names of Peruvian residents in this Port.

For this purpose the Patriotic League solicits the assistance of the inhabitants of Valparaiso, so that every Chilean citizen who may possess information relative to Peruvian residents, shall immediately send it to the Patriotic League of Valparaiso, P. O. Box 51.

The Board of this League will hold its next meeting on Friday of this week at 6.30 in the building of the Federation of Reserve Officers.

During this meeting those points will be considered which are to be presented for the approval of the League at its meeting on Monday next, at 9.30, which will be held in the offices of *El Mercurio*.

All the Representatives of the Associations organized in Valparaiso who have already signified their approval of the aims of this League are invited to be present, and those who have not yet adhered are informed that they may do so by applying to the address given above.

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*A Seal*

Governor of Arica, Chile,  
(Coat of Arms of the Chilean Republic).

ARICA, August 20, 1920.

SR. VÍCTOR VIACAVA,  
*City.*

Subsequent to the conversation which I had yesterday with you and with your father, I have investigated the matters which were treated during that interview, and I have been informed that not only have you declared yourself to be a Peruvian citizen, but that you have shown yourself hostile to persons of Chilean nationality.

If you will agree to sign a declaration at the foot of this letter



to the effect that there is no truth in what has been reported to me, or to declare your sympathies for Chile, I shall have the greatest pleasure in allowing you to remain in the position which you now hold.

Yours truly,

(Signed)

RENATO VALDÉS.

The undersigned, alien citizens residing in this Department (Tacna), and impelled by a spirit of justice and feelings of humanity, wish to spontaneously protest in the name of our respective and beloved nationalities against the disgraceful scenes which we have witnessed, the victims of which have been numberless men, women and children of Peruvian nationality; we likewise wish to protest against the brutal manner in which these people have been expelled from the territories of Tacna and Arica in Chilean occupation. We declare that we have seen persons practically naked and almost dying of hunger and thirst, begging for food and shelter upon their expulsion from the territories in occupation by Chile by the police authorities of that nation, for no reason other than the refusal of the deportees to renounce their Peruvian nationality. As it is impossible to specify herein each and every case of savagery which has been brought to our attention, we would mention that which has most struck us, the case of Maria Luisa Felix who, overcome with grief, informed us that she was the wife of Miguel Reinoso, and that her husband had been requested to visit police headquarters for the purpose of signing a declaration whereby he adopted Chilean nationality, but that he refused, declaring himself to be a Peruvian and offering to leave on the following day for the territory beyond Chilean occupation; whereupon the police authorities, in view of his statements, threatened him with prosecution as a swindler and smuggler, so that he, in fear of these threats and of further persecution, and being reluctant to change his nationality, decided upon immediate flight, but was caught by the police, together with his younger brother, Mateo Reinoso, and both were apparently conducted to the Frontier at Sama, word having reached her that they had been shot; that she and her mother-in-law then appealed to the Chief of Police, but that the tears and supplications of the mother, of the wife, and young children of the deportees had been unavailing to awaken any feelings of compassion for their great anguish; that both she and her mother-in-law had exhausted every means of inquiry among their relatives and friends, in the public departments and in the

foreign consulates as well as among the families of persons both known and unknown to them; whereupon the police authorities, doubtless fearing that the matter might gain unwelcome publicity, had summarily expelled them and had not even allowed them sufficient time in which to secure the necessary clothing to protect her young children—one of whom was barely three months old and whose only offense consisted in being the offspring of a patriot—from the rigours of the weather; that upon reaching the Frontier of Sama where Chile keeps a number of carbineers in garrison, she was offered some tea which she, however, declined but which was drunk by one of her companions in exile, who thereupon lost consciousness and remained in this condition from 6 p. m. until 10 a. m. the next morning, when she was allowed to proceed across the Frontier, and that though she remained several days in Sama, she never saw this countryman of hers again.

The undersigned likewise testify that we have seen the scars of the mistreatment inflicted upon Peruvian citizens when resisting the attempts made to coerce them into changing their nationality, being inevitably expelled in consequence of such resistance and testifying in their persons to the dreadful and criminal tragedies in which they have been the actors when facing the bayonets and threats of death directed against them.

In conclusion, we wish to leave on record our declaration to the effect that this testimony is inspired solely by the dictates of justice, truth and religion and for no other motive; and while it is true that we reside in Peru, this does not signify that we harbor any personal animus against Chile, for, on the contrary, our commercial relations with this country are of the best.

(Signed) C. A. Manzur, Merchant, born in Palestine; Moisés Kochiu, Merchant, Citizen of China; Miguel Sakr, Merchant, of Arabian nationality; Valentin Monges, a Merchant, a citizen of France; Juan Manuel Kawamura, a Farmer, Japanese subject; José Macuse, Farmer, of Syrian nationality; Manuel Pereira, Contractor and Builder, Portuguese citizen; Valdemar Gylling, Landowner, Camiara Plantation, of Danish nationality; Nicolás Sidorenco, a Mechanical Engineer, of Russian nationality; Jorge Nazar, Merchant in Moquegua and a landowner in this city, of Arabian nationality; Salomón Yaro, Merchant, of Syrian nationality.

Locumba, March 23, 1923. (Signed) DOMINGO LAGOS.  
[Seal of the Justice of the Peace of Locumba.]

(Signed) E. D. GÓMEZ CARRERA.  
[Seal of the Primary Court of Claims.]



Sworn testimony of various individuals, mostly of foreign nationality, to wit: Juan Rumiya, Salomón Yaro, Jorge Nazar, Merchants of Arabian nationality; Valdemar Gylling, Landowner, of Danish nationality; Nicolás Sidorencó, Mechanic, of Russian nationality; Moisés Kochiu, Juan Koc and Carlos Koc, Merchants, of Chinese nationality; Manuel Sologuren, Landowner of Tacna, expelled by the Chilean authorities; J. Héctor Vélez, Landowner and Captain of the Port of Sama; Humberto Maldonado Llosa, Peruvian Journalist and Correspondent of various newspapers; Juan Kawamura and Alberto Kuris, Farmers, of Japanese nationality, relative to the abuses committed in Tacna, Arica and Tarata against persons of Peruvian nationality, given before the Judge of the Primary Court of Claims of the Peruvian portion of the Province of Tacna, Eduardo Gómez Carrera.

The first 11 witnesses are residents of this city, while the two last reside in the Sama Valley, the Justice of the Peace of Buena Vista having been instructed by the Higher Court, to take their testimony.

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In Locumba on the 6th of June, 1923, Juan Rumiya appeared in public session of the Court, and after being duly sworn testified that: He was 39 years of age, born in Damascus and a resident of Locumba and about to change his residence to Moquegua; married, a merchant and a Mahometan by religion; that he has resided for 2 years in Locumba after having lived 15 years in Iquique; that he has passed through the City of Tacna in Chilean occupation and the Port of Arica, but that he has not been to Tarata; that he has been informed by several persons from Tacna and Arica that they have been expelled by the Chilean authorities owing to their refusal to change their nationality, and that several Peruvian citizens have likewise referred to him the abuses of which they have been the victims; that he knows that the inhabitants of Tacna and Arica, after having been expelled with their families, are not allowed to return by the Chilean authorities, so as to secure by this means the loss of their votes in the case of a plebiscite; that José R. Vargas Marini, who is at present in this city, has told him that the Chilean authorities would not allow him to return to see his mother for the last time before she died, and that the same has been told him by Manuel Sologuren, expelled from Tacna and who is also in this city, having been obliged to leave his business totally unattended; that the Chilean



authorities on the Sama Frontier insist on the presentation, by travelers to Tacna, of a passport issued by the Bolivian Consul, and as there is no such official in this Department, the said travelers are considerably inconvenienced by being turned back by the Chilean authorities as occurred with deponent.

(Signed)

JUAN RUMIYA.

(Signed)

GÓMEZ CARRERA.

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In Locumba, 7th of June, 1923, Salomón Yaro appeared, in public session of the Court, and after being duly sworn testified that: He is 35 years of age, a native of Syria and a resident in this city, married, and a merchant by occupation; that he has been engaged in business in Locumba for the last 4 years, and that he has witnessed numberless cases of residents of Tacna and Arica who have been expelled by the Chilean authorities and compelled to travel on foot from those provinces to the mouth of the River Sama, no exception being made even for the women and children; that among these deportees he can mention the Reynoso family, the several Eyzaguirre, Manuel Sologuren and many others whose names he cannot at present recall; that the Chilean Government continually sends Chilean families to the Provinces of Tacna and Arica, to settle there upon the farms and property formerly belonging to Peruvians who are thus despoiled of what is legitimately theirs; that it is publicly known that the house belonging to Doctor Basadre, who had been expelled, was set on fire, the body of a Chilean soldier having been found in the ruins, with jewelry, belonging to the said Basadre in his possession, and empty gasoline tins and other inflammable substances, which had been used to fire the building about him; that notwithstanding this fact, two young Peruvians called Reynoso, who lived nearby, were arrested, doubtless to prevent them testifying to what they had seen, no news of their fate having been received since then; that it is well known that the Chilean soldiers on the frontier commit all manner of abuses against Peruvian citizens, preventing them from crossing the frontier to attend to their business and insisting on the presentation of passports issued by the Bolivian Consul when no such official resides in the Department; that it is a fact that the Chilean authorities commit all manner of abuses against Peruvian citizens in Tacna and Arica to prevent them from voting in case of a plebiscite, and that he can personally

testify to the confiscation of property and the expulsion of all inhabitants of Tacna and Arica who refuse to accept Chilean nationality, because he has resided in this place.

(Signed) SALOMÓN YARO.

(Signed) GÓMEZ CARRERA.

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In Locumba, the 8th of June, 1923, Nicolás Sidorenco appeared in public session of this Court and after being duly sworn, testified that: He is 39 years of age, a Russian citizen, married, a mechanic by trade, of the orthodox religion, and a resident of this city for almost 5 years where he is engaged in his trade; that he can testify—and does so under oath—that the conduct of the Chilean authorities and the Chilean residents in Tacna, Arica and Tarata, as regards Peruvian citizens in that province, is barbarous and inhuman in the extreme; that he has personally observed that they are ejected from their homes and deprived of their means of livelihood; that not only has he heard countless recitals by Peruvian citizens of the atrocities committed against them, but that numbers of his friends of French and Russian nationality have likewise witnessed these abuses, which on the other hand, have been published in the public press, not only in Peru but likewise in Buenos Aires where at one time deponent resided, accounts which he was personally able to verify when he passed through the irredentist provinces and during his prolonged residence in this city; that he can personally testify to the continued abuses inflicted on all Peruvians who refuse to adopt Chilean nationality, who are deported in great numbers, their places being taken by Chilean families from the South of Chile so as to secure a preponderance of votes in case of a plebiscite; that not only are Peruvian citizens victimized in Tacna and Arica and Tarata, but likewise on the Frontier of Sama, where the Chilean carbineers have been stationed for the express purpose of preventing the passage of Peruvians to Tacna and Arica, and latterly of all foreigners, who are required to exhibit passports which are sometimes ignored, while these same carbineers continually harass the inhabitants and farmers of the valley in every possible manner, destroying their crops, raiding their homes and even threatening them with their arms.

(Signed) NICOLAS SIDORENCO.

(Signed) GOMEZ CARRERA.



In Locumba, on the 8th of June, 1923, in public session of the Court, Moisés Kochiu appeared, and after being duly sworn testified that: He is 22 years of age, a citizen of China, unmarried, a merchant, Roman Catholic by religion and a resident of this city for the last 9 years; that he cannot testify to the conduct of the Chilean authorities in Tarata, but that he personally can with regard to those of Tacna and Arica, who commit all manner of abuses against the Peruvian denizens thereof, who are expelled, their property confiscated and themselves and their families compelled to undertake on foot the difficult journey to the Frontier of Sama; that he has personally witnessed the almost uninterrupted procession of denizens of Tacna and Arica who have passed through on their way north, after having been expelled and who have related to him the different particulars relating to their expulsion, and their sufferings at the hands of the Chilean authorities.

(Signed) MOISES KOCHIU.

(Signed) GÓMEZ CARRERA.

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In Locumba, on the 8th of June, 1923, in public session of this Court Carlos Koc appeared, and after being duly sworn testified that: He is 23 years of age, a citizen of China, unmarried, merchant and a Roman Catholic by religion; that he is a resident of Locumba for the last year and a half, but previous to that has resided for several years in Moquegua; that during his residence in this city he has witnessed the continuous stream of deportees passing through, after having been expelled from Tacna and Arica by the Chilean authorities and suffering the loss of their homes and property, and that deponent has personally heard the accounts of their sufferings from the deportees themselves.

(Signed) CARLOS KOC.

(Signed) GÓMEZ CARRERA.

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In Locumba, on the 8th of June, 1923, in public session of this Court Juan Koc appeared, and after being duly sworn testified that: He is 25 years of age, a Chinese citizen, unmarried, a merchant, Roman Catholic by religion and a resident in this city for the last 5 years; that he has witnessed the passage through the city of numberless Peruvian families from Tacna and Arica after

having been expelled by the Chilean authorities, among others the Reynoso and Eyzaguirre families from Tacna.

(Signed) JUAN KOC.

(Signed) GÓMEZ CARRERA.

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In Locumba, 8th of June, 1923, in public session of this Court Manuel Sologuren appeared, and after being duly sworn testified that: He is 62 years of age, a Peruvian citizen, born in Tacna and domiciled there where he was engaged in business; that he is at present in this place after having been expelled by the Chilean authorities on the 24th of December, 1918; that he is married and a Roman Catholic by religion; that he has resided for a year in this city after having gone to Lima upon being expelled; that the conduct of the Chilean authorities towards Peruvian residents in Tacna, Arica and Tarata, is decidedly hostile as is publicly well known and notorious; that he has personal knowledge of the following facts to the effect that in 1911, the Intendente of Tacna, Maximo R. Lira, sent a police agent called Muñoz, and whose first name deponent does not remember but whose alias was "El Huaso Cañete," to propose to deponent the substitution of his Peruvian nationality for that of Chile, offering him, in case he accepted, all manner of guarantees for himself and assistance in his business, but that deponent indignantly refused, whereupon the Intendente Lira, loosed against his business establishment a mob of 200 Chilean roughs who completely wrecked the premises which were situated in Alameda Street, and cruelly beat deponent who was seriously wounded in three places; that the President of the Chilean Court of Appeals of Tacna instituted an investigation into the matter, which has remained in the hands of the Chilean authorities and which proves that deponent was stripped of everything he had, including the very clothes upon his person; that several prominent persons in Chile expressed considerable indignation at the occurrence, among them General Holley, who protested energetically and threatened to personally inform the President of the Republic of Chile respecting these abuses; that that same year the Chilean authorities expelled the Peruvian ecclesiastics as well as many other Peruvian citizens such as the newspaper men Barreto, Freyre, and the Delegate of the Peruvian Government, Dr. Artidoro Espejo; the Peruvian Club of Tacna and the printing establishment belonging to Peruvians being attacked and wrecked; while a series of assaults against most denizens of Tacna and



Arica was instituted, but principally against deponent, for no 28th of July, which is the Peruvian national anniversary, ever passed without his being fined and arrested by the Chilean authorities; that though these abuses diminished somewhat during the Intendency of Sr. Orrego Ovalle, they were once more intensified under the administration of Sr. Edwards, who followed the Chilenization methods instituted by Lira, caused red crosses to be painted on the doors of all Peruvian citizens whose homes were marked for destruction upon his orders, and which was duly carried out in December, 1918; that during that same year Dr. Mesinas, a Chilean citizen, urged deponent to change his nationality, assuring him that it was far more profitable for the Provinces to belong to Chile than to Peru, a proposition which was again indignantly refused by deponent, and which brought about another attack against his business establishment situated in Bolivar Street, the doors of which—and the iron gratings which protected them—being entirely destroyed, as well as the whole contents of the establishment, though nothing was carried away because the attackers were public officials and prominent persons of Chilean nationality, among whom witness noticed the same Dr. Mesinas, Muñoz, the head of the Telegraph Office, and the Secretary of the Intendency; that on the 25th of the same month and year he was notified, as were several other residents of Tacna, by General Arancibia, provisionally in charge of the Intendency owing to the absence of Sr. Edwards, and given 8 days in which to leave the City of Tacna, being informed in addition, that if he did not comply with this order he would be forcibly ejected from the city, mounted upon an ass; that he was, in addition, compelled by force to sign a declaration to the effect that he was leaving for Locumba voluntarily and on business, a signature which was extracted from deponent not only by threats, but upon the promise that he would be allowed to return to Tacna within 60 days for the purpose of winding up his affairs which had remained completely uncared for, but that notwithstanding this promise and after the lapse of considerable time, and although deponent made every effort to secure permission to return, he was never allowed to do so, deponent having returned here from Lima in the hope that the conferences of Washington having been initiated, the persecutions of Peruvian citizens would henceforth be discontinued and that he would be allowed to return to Tacna and save something of his business, because a certain Dr. Mujica, a Chilean citizen, had taken possession of deponent's house in Bolivar Street; that since 1918,



the deportations of Peruvian citizens from Tacna with their families, have been unceasing, among whom he can mention those of the families of Forero, Valverde, Belaúnde, Tellez, Reynoso, Eyzaguirre, Pradell, Rueda, MacLean, Anda and Auza, and that these expulsions had no other purpose than to secure a majority of voters in case a plebiscite should be held; that the Chilean authorities, in addition to the abuses which deponent has just mentioned, are not satisfied with merely expelling Peruvian citizens from Tacna and Arica together with their families, but they do not hesitate to go to the unheard-of lengths of causing numerous Peruvian citizens to be cruelly flogged, as happened in Arica with Rueda, or of setting fire to houses as happened to Dr. Carlos Basadre in Tacna.

(Signed)

MANUEL SOLOGUREN.

(Signed)

GÓMEZ CARRERA.

In Locumba, on June 8, 1923, in public session of this Court Valdemar Gylling appeared, and after being duly sworn testified that: He is 50 years of age, married, a Danish subject, a merchant and farmer by occupation, a Roman Catholic by religion and a resident of 3 years' standing in the locality; that it is public and notorious that the Chilean authorities ill-treat Peruvian citizens in Tacna, Arica and Tarata, who are immediately expelled from the Provinces or deported to Coquimbo, a city which is in ruins, upon their refusal to adopt Chilean nationality; that he has been informed of numberless cases of abuses suffered by Peruvian citizens, when approached by these in his estate of "Camalara" located in this valley, to seek employment; that in addition to the well-known persecution suffered by Peruvian citizens, he knows of and can testify to, respecting the expulsion from Tacna and Arica of the Peruvian ecclesiastics, Vitaliano Berroa, Guevara and Cáceres, and Manuel Sologuren, the dentist, Luis O. Diaz, and his family, Juan Ward, Manuel Butrón and Enrique Ossio, who informed him while in Arequipa, of the persecution they had suffered previous to their expulsion from the provinces by the Chilean authorities; that he has seen many denizens of Tacna and Arica who had been expelled from those provinces, stranded in Arequipa and reduced to the direst straits through having lost all their belongings, and dependent for the support of themselves and their families on public charity.

(Signed)

VALDEMAR GYLLING.

(Signed)

GÓMEZ CARRERA.

In Locumba, on the 8th of June, 1923, in public session of this Court, J. Héctor Vélez appeared, and after being duly sworn testified that: He is 46 years of age, born in Moquegua, a resident of this city, married, a farmer by occupation and a Roman Catholic by religion; that it is a well-known fact that the conduct of the Chilean authorities as regards Peruvian citizens of Tacna, Arica, and Tarata, is decidedly hostile; that he knows of the deportation and expulsion of Peruvian citizens by the Chilean authorities when the former declined to adopt Chilean nationality or to sign agreements promising to vote for Chile in case of a plebiscite; that in addition, the details of specific cases of persecution have been referred to him by Abraham Liendo, Emeterio Liendo and his family, Alejandro López, Mariano Salgado and many other Peruvians who have been expelled and are now located in the Valley of Sama and in this locality; that in addition to the expulsion of Peruvians from Tacna and Arica, the Chilean authorities imprison them or send them to Copiapó and forbid their return; they set fire to the property of Peruvian citizens as happened with Dr. Basadre's residence in Pocollay; their soldiers invade the Peruvian portion of the territory beyond the frontier and threaten the inhabitants thereof with their arms, and commit numberless abuses which have regularly appeared in the press, the truth of which is well known and to which deponent can testify, owing to his residence in this place and his frequent visits to Tacna.

(Signed)

J. HÉCTOR VÉLEZ,

(Signed)

GÓMEZ CARRERA.

In Buena Vista on the 12th of June, 1923, Juan Kawamura appeared in this Court and after being duly sworn testified that: He is 32 years of age, born in the Department of Tamaguchi of the Japanese Empire, unmarried, a Roman Catholic by religion and a farmer by occupation; that the conduct of the Chilean authorities in Tacna, Arica and Tarata is inhuman and most cruel as regards the Peruvian citizens who reside in those provinces; that witness can personally testify to various cases of abuses committed by these authorities who, for the purpose of Chilenizing them, expel the Peruvian denizens, confiscating their property and homes and obliging them to leave the territory with no means of subsistence; that the majority of Peruvian citizens who reach this place, do so on foot, having been compelled by the authorities to abandon their household effects, their cattle and



tools of their trade, giving them the shortest possible time within which to evacuate the provinces; that deponent knows that the Peruvian citizens are expelled from Tacna, Arica and Tarata because they refuse to change their nationality, or serve in the Chilean army and still less, to vote in favor of Chile in case of a plebiscite; that deponent knows, likewise, that the Chilean authorities are continually making efforts to secure signed declarations by Peruvian citizens, promising to vote in favor of Chile, and when they are unsuccessful, resort to expulsion and deportation; that deponent has witnessed the continual exodus of Peruvian citizens passing through Locumba on foot, after being expelled from their homes in the irredentist provinces; that he knows of the specific instance of a Peruvian citizen named Quelopana who was cruelly mistreated by the military authorities of Arica because he refused to sign an undertaking to change his nationality; that another case is that of Angel Berrios who was obliged to leave Arica owing to the gross mistreatment suffered at the hands of Chilean authorities; that in the estate belonging to the Chilean citizen Julio Fuensalida, located in Lluta (Arica), all the Peruvians who worked thereon were cruelly beaten and then expelled because they refused to change their nationality; that latterly the Chilean authorities have set fire to several plantations situated in the Valleys of Lluta and Azapa in Arica, so as to compel the Peruvians, who still resided in those places, to leave the territory; that deponent is personally cognizant of the murder of a Peruvian citizen by Chilean carbineers on the road from Tacna to Sama, when proceeding from Lluta; that the murdered man was proceeding on foot in company with a Japanese friend of deponent's, both being accused by the military authorities of being smugglers; that deponent saw the body of the murdered man because two days after the occurrence he had occasion to go to Tacna, and on the road, fell in with some Chilean carbineers who are stationed on the Peruvian frontier, and he noticed that on reaching the place called "Cerrillos Negros," the soldiers left him for the purpose of bringing in the body which was then taken to Tacna by these soldiers, and that during the journey the sergeant in command of the carbineers in whose company he still was, told him not to be surprised at the occurrence because they (the Chilean soldiers) were accustomed to kill; that the Chilean carbineers on the Peruvian frontier continually cross over into Peruvian territory, assaulting the men and violating the women; that any Peruvian crossing into Chilean territory is despoiled of



whatever he may possess, being deprived of his merchandise and pack animals; that he can testify that the Reynoso brothers, who were taken by the carbineers from Tacna, supposedly to Sama, never reached this place, their present whereabouts being unknown; that he can testify to having seen the arrival of the Reynoso family as well as that of Eyzaguirre and many other Peruvians, but that the brothers Reynoso have never passed through; that latterly the expulsion of Peruvian citizens has been incessant, considerable numbers of aged men, women and children continually passing through the town on their way to various Peruvian cities, all the deportees being in the last stages of destitution and wretchedness; that he was voluntarily giving this testimony, impelled thereto by his conscientious scruples, and a spirit of fairness, after having witnessed the numerous abuses committed by the Chilean authorities.

(Signed)

JUAN KAWAMURA.

(Signed)

RAFAEL GIL.

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In Buena Vista on the 12th of June, 1923, Alberto Kuris appeared in this Court, and after being duly sworn testified that: He was born in the Department (Prefecture?) of Hiroshima in the Japanese Empire; that he is a farmer and of the Roman Catholic religion, 32 years of age and unmarried and a resident in this valley for the last 15 years; that he knows personally that the Chilean authorities in occupation of Tacna, Arica and Tarata persecute and mistreat Peruvian citizens, expelling and deporting them when they refuse to change their nationality or to promise to vote in favor of Chile in case of a plebiscite; that as deponent resides in this locality he has been able to personally witness the arrival of large numbers of Peruvian citizens, old men, women and children, who pass through in a state of absolute destitution, having been deprived of everything they possess, even to their personal belongings, the Chilean soldiers stationed on the frontier refusing to permit the passage of the frontier to any Peruvian citizen who, in addition to being turned back, suffers the loss of anything he may have with him; that the Chilean soldiers habitually cross into Peruvian territory and attack the homes of the farmers, torturing the men and violating the women.

(Signed)

ALBERTO KURIS.

(Signed)

RAFAEL GIL.

In Locumba, on the 12th of June, 1923, in public session of this Court Jorge Nazar appeared, and after being duly sworn testified that: He is 35 years of age, born in Palestine, a merchant and farmer, Roman Catholic by religion, and a resident in this locality for the last 12 years; that the attitude of the Chilean authorities with respect to the Peruvian citizens is decidedly hostile and even cruel; that deponent can personally testify to the expulsions effected by the Chilean authorities in the persons of the Peruvian citizens when these refuse to change their nationality; that they are given very short time limit within which to evacuate the provinces or are immediately expelled; that deponent has had direct information from the sufferers of their varied experiences in this connection, when they have passed through this place after having been ejected from Tacna; that it is public and notorious that the Chilean carbineers cross the Peruvian frontier into Peruvian territory at Sama, assaulting and even firing upon peaceful Peruvian citizens.

(Signed)

JORGE NAZAR.

(Signed)

GÓMEZ CARRERA.

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In Locumba, on the 12th of June, 1923, in public session of this Court Humberto E. Maldonado appeared, and after being duly sworn testified that: He is 29 years of age, a Peruvian citizen, born in, and a resident of, this city; a widower, Roman Catholic by religion, and a teacher by profession; that the Chilean authorities, since 1911, have employed every method of abuse and persecution so as to secure the Chilenization of the Provinces of Tacna, Arica and Tarata; that he has personal knowledge of the mass expulsions which have been carried out by the Chilean authorities from the above-referred-to provinces, specific instances of these during the year 1922, being the cases of Francisco Gómez, Fortunato Alarco, Nicolás Dubayle, Rosario Bustos, Manuel Zegarra, denizen of Tarata, an employee of Messrs. Canepa of Tacna; José R. Vargas Marini, Victor Prado, Manuel Vasquez of Codpa and Manuel Liendo; while the cases of expulsions during the present year, of which he is personally cognizant, are those of Hiram Hume, Emilio Reynoso, his wife and sons, Victor, Manuel, Alfredo, Juan, and Nicanor; Abel, Ezequiel, Lucas and Emeterio Liendo with their respective families; Andres Bruss, José Badaraco, Eloy and Anacleto Baluarte, Luis Covaila, Felix and Juan de Dios Flores, and Domingo Morales; that in addition to the abuses



above mentioned, he knows that the Chilean authorities employ all manner of threats to secure the evacuation of the irredentist provinces by Peruvian citizens who are given the shortest time limit within which to leave, upon the expiration of which they are expelled, either to Sama on foot, or through the Port of Arica or via the railroad in that port; that the Chilean authorities employ the following method to secure the evacuation of the provinces: All young Peruvian citizens of military age are conscripted for service in the Chilean army, and when they refuse they are arrested and sent to the region which was destroyed by the earthquake, where they are put to different forms of hard labor, the men, therefore, preferring to voluntarily leave or to escape when this is impossible, the places where they were born and to which they belong; in addition to the above should be added the disproportionate taxation inflicted upon Peruvian citizens, the looting and setting fire to their establishments and homes and even the murders of which they are the victims.

(Signed)

H. E. MALDONADO.

(Signed)

GÓMEZ CARRERA.

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In Locumba, the 13th of June, 1923, in public session of this Court, Manuel Pereira appeared, and after being duly sworn, testified that: He is 52 years of age, a Portuguese citizen, unmarried, stonecutter by occupation, a Roman Catholic by religion and legally domiciled in this city; that it is public and notorious that the Chilean authorities of Tacna, Arica and Tarata commit every manner of abuse against Peruvian citizens, threatening and even flogging them, depriving them of their means of livelihood and forcibly deporting them to Copiapó where they are put to hard labor in that city which was almost completely destroyed by the earthquake; that young Peruvian citizens are required to serve in the Chilean army and when they refuse, are expelled on foot together with their families, withdrawing from them all guarantees of safety; that deponent can personally testify to the above, owing to the considerable numbers of Peruvian families in Tacna and Arica who have been expelled from their homes and who have, themselves, related to him the circumstances of their expulsion and of the abuses committed against them by the Chilean authorities; that these persecutions are the outcome, as is well known, of the refusal of the Peruvian residents of Tacna and Arica, to adopt Chilean nationality; that among the



many persons whom he has seen who were expelled, he can mention Emilio Reynoso and his family, the father of the two Reynoso brothers whose present whereabouts are unknown; the Eyzaguirre brothers, the Liendos, and Manuel Sologuren, Bruss, Gerardo Villanueva, José Paredes, Jesus Oviedo, José Vargas and many other young men who are at present working in this valley, especially on the plantation "La Aurora" and in the Valley of Moquegua; that the above is an accurate account of what deponent knows and has seen and heard, opportunity for which was furnished him through his residence in this place and in Moquegua, where he lived for one year.

(Signed)

MANUEL PEREIRA.

(Signed)

GÓMEZ CARRERA.

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The following Spanish subjects, Juan Salguero García, of Sevilla; Nicolás López Martínez, of Almería; and Evaristo García A. of Ferrol, whose identification papers and passports are in order and duly legalized by the appropriate officials in the countries through which they have passed, have spontaneously volunteered to testify as follows:

In Locumba, on the 17th of July, 1923, in the Prefecture of the Department, Juan Salguero García, born in Sevilla (Spain), unmarried, 35 years of age; Nicolás López Martínez, born in Almería (Spain), unmarried, 30 years of age, and Evaristo García A, born in Ferrol (Spain), 26 years of age and unmarried, appeared and testified that: Having resided in the Argentine Republic and having saved some money from their work, they all three decided to take a pleasure trip through the Republics of Bolivia, Chile and Peru, from which country they would then return to their homes in Spain; that after having visited Santiago, Valparaiso and Antofagasta, they landed in Arica where they remained a few days, continuing on to Tacna where they likewise remained a few days before going into Peru, which was the itinerary they had decided upon; that while in the cities of Tacna and Arica, they have personally witnessed the most unheard-of abuses which it could be possible to imagine, committed against the defenceless Peruvian denizens of those territories; that although they are entirely unprejudiced in respect to the dispute between Peru and Chile, yet, as Christian men, and in obedience to feelings of humanity and making use of the right which is granted to everybody, they wish to voice their protest against the attacks, the

abuses and the cruelties which the Chilean authorities inflict without the slightest compunction on all Peruvian citizens, induced thereby, as is publicly well-known, through their desire to cause the evacuation of the citizens who, at some future date and according to international agreements in process of perfection, may be called to decide upon what flag will definitely float over the territories in question. "Desiring to mention only a few of the incidents which we have witnessed, we will describe the following: While in Arica on Dos de Mayo Street, on the corner where the Customs House is situated, we saw 4 men who were stopped and interrogated by the police in the following manner: 'You have been given 8 days to go to the Prefecture of Police to sign your promise to vote for Chile in case of a plebiscite; 10 days have already gone by and you have not appeared, tell us immediately the reason why.' whereupon the men replied that they were going to leave for Peru, the officer who appeared to be in charge and was accompanied by 3 police officers, replied, 'Then you prefer to be Peruvian, you are nothing but disgusting cowards,' proceeding thereupon to assault them with their clubs and taking them to police headquarters. Two women who were standing by and who had witnessed the scene, and hearing our expressions of condemnation against such occurrences, said to us: 'We also are Peruvians, and can tell you that such scenes occur every day.' We then asked these women if they knew the names of these wretched men and they told us that they only knew the names of two of them, Juan and Humberto Arredondo, names which we at once wrote in our notebooks so as to assist our memories. At night, on leaving a cinema, we saw 8 young men who were attacked and beaten with the flats of the swords and taken to the police station, while we remember hearing the following sentence used by the police during their attack: 'If you are Peruvians why don't you go to your own country, together with all your brats, because we don't want any of you here.' Striking them meanwhile with their swords. Next day during the morning, we noticed a young man of about 22 years old who was conducting an old woman by the arm when 2 policemen approached them and said to him, 'Under pretense of caring for this old woman you have remained here, you dirty dog, after we have thrown you out,' whereupon the old woman, who appeared to be extremely ill and weak, burst into tears and begged the officers not to arrest the boy since he was her only support, but the pleadings of the wretched woman were of no avail and the young man was taken



off by the police officers and cruelly beaten, the old woman falling unconscious and being taken by us into a nearby house for attention. Our impressions, after having witnessed scenes so contrary to the most elementary principles of civilization, will be easily imagined, and caused us at once to hasten our departure for Tacna where we remained for 3 days before continuing on to Peru; but there the campaign of persecution and abuse is even more acute than in Arica. Such scenes as we have witnessed, and the methods employed by Chileans against the wretched Peruvians, we are sure, cannot be found in the history of any people, even when blinded by nationalistic controversies. We are sure that Germany, when she invaded regions with her armies, could not have behaved as bad as the Chileans are doing in those unfortunate territories which we are now sorry we have ever visited." Deponents expressed the hope that their Consul in Tacna, Miguel Casanova, in obedience to his duty, will have given an account to his government of the daily crimes which are committed against Peruvians. "We likewise leave copies of our passports and identification cards, the better to establish our identity, and we likewise ask that our photograph, taken on the steps of the Church of Locumba, be attached to this declaration which we hereby sign together with the Prefect and the Secretary who certifies our signatures." Deponents also request that this declaration be recorded in the Primary Court so as to give it full juridical value.

(Signed) EVARISTO GARCÍA,

(Signed) NICOLAS LOPEZ,

(Signed) JUAN SALGUERO,

(Signed) E. FEBRES O.

[Seal of the Prefecture of the Department of Tacna.]

(Signed) VARGAS,

*Secretary to the Prefecture.*

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Legally Authenticated Copy issued by the Clerk of the Court of Appeals of Iquique of the Verdict and Sentence of the Primary Court of Claims of Tacna against the Peruvian citizen Lorenzo Ostolaza Maizo for alleged delinquency under the Law of Recruits and Substitutes of Chile.

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Antonio Becerra in the name of Lorenzo Ostolaza M., *in re* delinquency under the Law of Recruits and Substitutes, requests



that the Clerk of the Court of Appeals be instructed to give a legally authenticated copy of the Verdict of the Primary Court of Claims in the above matter.

(Signed) A. BECERRA.

[Seal]

Court of Appeals, Iquique,  
Office of the Clerk,  
July 27, 1923.

Iquique, July 28, 1923. Granted as requested for such purposes as may be required.

(Signed) *Bonifacio.*

Decreed by the Court.

(Signed) *Eduardo Novoa.*

On the 28th of July, 1923, at 10:30 a. m., I summoned Antonio Becerra to this office; he refused to sign.

(Signed) *Eduardo Novoa.*

I hereby certify that the copy of the Verdict issued by the Primary Court in the suit brought against Lorenzo Ostolaza as a delinquent under the Law of Recruits and Substitutes, to which the order on the preceding page refers, is as follows:

“Tacna, July 2, 1923.

“The present suit has been instituted against Lorenzo Ostolaza Maizo of Arica, 33 years of age, a merchant, unmarried, able to read and write, as a delinquent under the Law of Recruits and Substitutes, according to the accusation contained on page 1 of the record. The accused Ostolaza declares on page 1 that: He had not registered in the Military Register because he is a Peruvian citizen, born in Arica, and that he considers Arica to be an absolute part of Peruvian territory. The opinion of the District Attorney (Promotor Fiscal) having been solicited, he finds as follows: In the matter above mentioned, and considering: 1st, that all Chilean citizens from 18 to 49 years of age must be inscribed in the military registers; 2nd, that according to our Constitution, all those born in the territory of the Republic are Chilean citizens; 3rd, that the territories of Tacna and Arica are held possessed by Chile and subject to her laws and authorities, forming part, therefore, of the national territory; 4th, that the accused Ostolaza has confessed to not having registered in the Military Register; 5th, that the reason alleged by Ostolaza for not having registered in the Military Register, believing himself to be a Peruvian citizen, has not been substantiated in any way: And in view of the con-

tents of Articles 5th of the Political Constitution, 41, 42 and 44 of the Law of Recruits and Substitutes, and 49, 51, 52 and 56 of the Appropriate Ordinances, I sentence Lorenzo Ostolaza Maizo already designated as a delinquent under the provisions of the Law above mentioned, to 40 days imprisonment, to accomplish his military service for the stipulated time, and in addition, to serve in the army for a further term equal thereto, and to the payment of all costs in the case, the prisoner to serve his prison sentence in one of the barracks of the garrison as shall be designated by the proper military authority. The prison sentence shall run from the day of entry in the barracks which shall have been determined upon. To be communicated to general headquarters, notification of this sentence to be sent to the Recruiting Officer. To be inscribed and reported upon in case of no appeal.—*Lamberto Caro.*—*W. Herrera R.*—Secretary."

Approved, Iquique, August 6, 1923. Interpolated "In the Military Register," and "5th of the Political Constitution," valid.  
(Signed) *Eduardo Novoa.*

I certify that the above signature of Eduardo Novoa is that of the Clerk of the Illustrious Court of Appeals of this city, and is that used by him in all his official functions. Iquique, August 6, 1923.

(Signed) *F. Subercaseaux del Rio.*

Judicial stamps. Notarial seal of the above official.

The undersigned Intendente of the Province of Tarapacá certifies that the signature which appears above and which reads "F. Subercaseaux del Rio," Notary Public of this Department, is authentic and that the signer is carrying out the functions of his office.—Iquique, August 7, 1923.

(Signed) *R. AMENGUAL N.*

Two administrative stamps.—Seal of the Intendency of Tarapacá.

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CARLOS VICUÑA FUENTES,  
*Lawyer.*

Jofré 353, Box 3694.  
Office: Santo Domingo 1226.

SANTIAGO, August 31, 1923.

SR. LORENZO OSTOLAZA M.,  
*Tacna.*

I have this day received your favor of the 22nd instant, and I hasten to reply in accordance with your request, advising you that



I accept to take charge of the appeal in cassation to which you refer.

I believe, as you do, that you have every moral and legal right on your side; morally, because it is absurd to force upon anyone a nationality which is distasteful, because no feeling, much less that of patriotism, can be implanted compulsorily; legally, because, as you state, Tacna and Arica have not been ceded to Chile in full sovereignty and dominion, but only provisionally, so that there are no juridical grounds to consider all who are born therein as Chilean citizens merely due to the accident of birth.

Nevertheless, I consider it my duty to tell you that it will be very difficult, in fact almost impossible, to win your case. You will have arrayed against you, the jingoism, the all-important political expediency and the interpretation of the law.

Jingoism strives to secure the implantation in Tacna and Arica of all Chilean laws, even those which cannot logically be applied, such as that which deals with Recruits and Substitutes.

The political expediency on the one hand requires that Peruvian citizens shall be terror-stricken, and on the other, that the world be given to understand that Chile naturally considers her rights to Tacna and Arica to be definite; the verdict in your case would, therefore, be considered to have served both of these purposes.

And finally, the interpretation given to the law by the Supreme Court is contrary to the thesis which you sustain; while you will easily understand how difficult it is to effect any change in an unvarying jurisprudence, strongly buttressed by powerful political considerations, as well as by unyielding nationalistic convictions.

My fears as to the loss of your appeal are therefore well-founded; but the interests of right and justice are above any timorous professional expediency, and I shall therefore make every effort of which I am capable, so as to secure the triumph of justice and also that the law be accorded the rightful interpretation to which it is entitled.

Of course, I state the foregoing without offering or guaranteeing anything as to success, for the reasons I have already given you, so that, should you find a lawyer who can offer you better guarantees of success, do not hesitate to employ him. . . .

(Signed) *Carlos Vicuña.*

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Spontaneous testimony with regard to the conduct of the Chilean authorities against Peruvian citizens in Tacna and Arica, presented by two aliens, Virgilio Virgili Espert, a Spanish subject,



and Jules Duchatel, French citizen. The identification papers and the passports of both deponents are in good and due order, and have been legalized by the appropriate authorities in the different countries through which they have passed. The declarations of both deponents were subsequently repeated before the Judge of the Primary Court of Claims of Locumba, Eduardo Gomez Carrera, so as to give them complete juridical and legal value.

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In Locumba, on the 23rd of August, 1923, Virgilio Virgili Espert, born in Lerida (Spain), 38 years of age, unmarried, a mechanic by trade, appeared in the Prefecture of this Department and stated that: After having resided a few months in the Argentine Republic, he decided to visit the republics of the North, and having proceeded to Bolivia, he had arrived at La Paz on the 23rd of July of this year whence he continued on to Arica, where he remained two days, continuing on to Tacna, a city where he proposed to stay for some time so as to work at his trade and accumulate the necessary funds to continue his journey to Peru; that he only remained in Tacna 3 days, having been compelled to leave, notwithstanding his want of means, because he found it impossible to endure the continual scenes caused by the oppressive treatment suffered by the Peruvian population in that place; deponent adds that he has no interests whatever in the differences between Peru and Chile, but that he cannot forebear to protest, as a Christian, against the persecution and inhuman treatment which the Chilean authorities and soldiery direct against Peruvians; that it would take too long to relate all the occurrences which he witnessed, so that he will merely mention the one which occurred on the 29th of July when he was in an eating house in Carreras Street, near the bridge, where, seated at a table were two young men of about 23 and 25 years old who were strangers to him; that a few moments later a police officer and 3 agents suddenly entered the place and addressing the young men in question, asked them for their identification cards, being told by one of these men that they were Peruvian citizens and were on the eve of leaving for their country. Without more ado, the officer at once attacked both with his sword, ordered the agents to bind them and to take them to police headquarters, an order which was immediately carried out, notwithstanding the pitiful condition in which they were, owing to the attack, being wounded in several



places and covered with blood. Deponent states that this dreadful scene produced a terrible impression upon him as can readily be imagined, and being unable to contain his indignation, and having dared to remonstrate with regard thereto, he was at once notified to leave the city, a safe conduct being granted to him, which is hereby attached to his declaration and is dated the 31st of July, signed by appropriate official, bearing the seal of the Prefecture and numbered 1415. Deponent requests that an authenticated copy of his passport should likewise be attached to his declaration and that the necessary steps be taken so as to give full juridical value thereto.

(Signed) *Virgilio Virgili Espert.*

(Signed) *E. Febres O.*

[Seal of the Prefecture of Tacna.]

(Signed) *Vargas,*  
*Secretary to the Prefecture.*

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In Locumba, on the 25th of August, 1923, the French citizen, Jules Duchatel, appeared in the Prefecture and stated that: He was desirous of presenting his testimony. Deponent then declared that he had been employed for some time by a French firm in Valparaiso, and upon having been urged by several Chilean friends, whose families were proceeding to Tacna and Arica, he decided to accompany them, induced by the promise of work and high salaries which he was told he would secure in the Provinces of Tacna and Arica; that he stopped off at Antofagasta and Iquique for the purpose of securing different articles which he required for the purpose he had in view; that when he arrived at Arica he found the persons who had urged him to make the trip, and these were very much discouraged and they told him, as the reason therefor, that the purpose for which they had been brought was, that the Chilean Government was desirous of increasing the population on account of the plebiscite which would soon be held; that the condition of these friends of his, as well as of numerous other families who have gone with the same intention, was very unsatisfactory, since the labor which the industries of that region require was very much less than the number imported to occupy the positions; that the procedure of the Chilean authorities, when confronted by this serious social problem, was to endeavor by all possible means, to cause the evacuation of the territories of the Peruvian inhabitants, both for the purpose of securing employ-

ment for the importees, as well as to reduce the number of votes which would otherwise be cast in favor of Peru in a plebiscite. The result of this struggle to secure these ends was the enactment of disgraceful scenes which are contrary to the most elementary notions of justice, and to the rights which all men have today in civilized countries; that during the few days he remained in Tacna, he witnessed scenes of indescribable cruelty, and that, being an alien, recently arrived, he could not give the names of the victims with the exception of one, a young man from Tacna called Gerardo Rojas Siña, who was cruelly ill-treated by 2 police officers and a Chilean civilian, whom he presumes to belong to the Secret Police, and who gave him 24 hours to leave the territory. Such conduct, added deponent, was contrary to civilization, and caused him profound concern, so much so that he expressed his surprise at such scenes, though with the greatest moderation, especially now when his country had given rivers of blood from her best sons to secure the predominance of the spirit of justice and of respect in the world; that upon hearing his remonstrance, the police immediately ordered him to leave the territory, and as he did not desire to cause any disturbance nor protest against the order, though he was fully entitled to do so, he merely requested his Consul in Arica to give him his passport, copy of which is attached hereto, as well as copies of other documents in his possession and which he requests should form part of this testimony. Deponent states that, since Chile is a country which, by its actions in these territories, has made itself distasteful through the brutal manner in which it endeavors to secure what does not belong to it and which it obtained by the force of arms, he cannot understand how aliens can continue to endure the daily scenes of persecution which are repugnant to the most hardened conscience. Deponent further declared that he was anxious to repeat this testimony before the appropriate legal officers so as to give it full juridical value.

(Signed) *Jules Duchatel.*

(Signed) *E. Febres O.*

Witnesses:

(Signed) *W. Gylling.*

(Signed) *Salomón Nahachi.*

(Signed) *Vargas, Secretary to the Prefecture.*





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## No. 1

**Opinion on the CONFLICT in the PACIFIC between THE REPUBLIC of PERU and THE REPUBLIC of CHILE relating to the Territories of TACNA and ARICA, by SIR THOMAS BARCLAY, Barrister-at-Law, Senior Vice-President, Acting President of THE INSTITUTE of INTERNATIONAL LAW.**

### GEOGRAPHICAL NOTE

The territory in question occupies some 200 kilometres along the coast of the Pacific. Its hinterland extends from a minimum depth of about 100 kilometres to a maximum of about 200 kilometres somewhat irregularly.

Peru lies to the north, Chile to the south and Bolivia to the east.

The territory in question lies in the angle which South America forms in its Western shore. In the apex of that angle is the port of Arica. At a distance of 60 kilometres from Arica inland one finds Tacna.

This territory covers an area of.....  
With Peru and Chile's sea-coast, it excludes Bolivia from access to the sea. La Paz, the capital of Bolivia, is connected with Arica by a railway built in 1913. Between Tacna and Arica the railway is of recent construction, viz:

### PERU AND CHILE TERRITORIES OF TACNA AND ARICA

#### *Statement of Facts*

1. In 1875 a conflict in arms arose between Chile and Bolivia in reference to certain saltpetre deposits at Antofagasta, which, however, do not here come into the question.

2. In 1879, Peru made an armed intervention in favour of Bolivia by virtue of an alliance treaty.

3. The war ended in favour of Chile.

4. A treaty, known as the "Treaty of Ancon" was signed at Lima on the 20th of October, 1883, the text whereof is hereunto annexed.

5. Under that Treaty (Article 3) the territory of the Tacna and Arica Provinces was to be subject to Chilean legislation and



authority for a period of ten years from the date of ratification of the Treaty.

“On the expiration of this period,” the treaty went on, “a plebiscite shall decide, by popular vote, whether the territory of the said Provinces shall remain definitively under the domination and sovereignty of Chile, or whether it will continue to form part of Peruvian territory. Whichever country shall receive the Provinces of Tacna and Arica, shall pay to the other, 10,000,000 piastres, etc.,” and the same article adds that:

“A special protocol which will be considered as an integral part of the Treaty shall settle the form in which the plebiscite shall be taken,” etc.

6. On the 28th of March, 1884, the Treaty was ratified and the plebiscite was, therefore, to be taken after the 28th of March, 1894.

7. An official note relating to the plebiscite and signed by Mr. Eugenio Larrabure y Unanue, Peruvian Minister for Foreign Affairs, under date of the 10th of August, 1892, was sent to Mr. Xavier Vial Solar, Minister Plenipotentiary for Chile at Lima. In this document, the Chilean Government was invited to enter into negotiations for the purpose of framing the protocol of the plebiscite in accordance with Article 3 of the Treaty of Ancon.

8. The next day, the Chilean Minister acknowledged receipt and declared that he was transmitting the communication to his Government.

9. On the 5th of September, the Peruvian Minister for Foreign Affairs handed to the Chilean Minister Plenipotentiary a draft embodying the “bases which might serve for discussion with the Chilean Representative.” The third point in this draft stated that the “Chilean Government would evacuate the territories of the Provinces of Tacna and Arica” which would remain under the sovereignty and domination of Peru.

10. Seven months elapsed and on the 8th of April, 1893, the Chilean Minister Plenipotentiary in Peru answered that it was “not within the intentions of his Government to give up the expectations which Chile derived from the Treaty of Ancon as regards the acquisition of the Provinces in question.”

11. At page 177 of a book published by the Chilean Minister Plenipotentiary in Peru, Mr. Vial Solar, at Santiago in Chile in 1900, there is a passage which relates to Peruvian public opinion which he describes as very strong on the subject and also to the verbal declarations made to him by the Peruvian Minister for

Foreign Affairs (Mr. Jiménez) upon the execution of Article 3 of the Treaty of Ancon.

12. On the 26th of January, 1894, the Peruvian Minister for Foreign Affairs (Mr. Jiménez) communicated to the Chilean Minister Plenipotentiary (Mr. Vial Solar) some "general terms of reference for the drawing up of the final protocol" in reference to the carrying out of Article 3 of the Treaty of 1883, terms which were simultaneously accepted by the Chilean Minister Plenipotentiary (Mr. Vial Solar).

13. On the 23rd of February, the Peruvian Minister Plenipotentiary at Santiago (Mr. Ramón Ribeyro) presented to the Chilean Chancellerie, clauses completing the Jiménez-Vial Solar protocol of the 26th of January, 1894.

14. On the 27th and 29th of March, communications were exchanged postponing the discussion of the above terms which was to have taken place on the 28th of March, 1894.

15. Meanwhile, the department of Foreign Affairs in Chile changed hands. The new Minister, Mr. Mariano Sánchez Fontecilla on the 5th of July, refused to recognize the Protocol of the 26th of January, stating that the Chilean Government had not accepted it. The Peruvian Minister Plenipotentiary protested that Mr. Sánchez' predecessor, Mr. Blanco Viel was engaged in discussing its details when the discussion was interrupted by the new elections and the change in the Government.

16. Mr. Sánchez apparently reconsidered his decision for on the 28th of October, he handed to the Peruvian Minister Plenipotentiary (Ribeyro) a questionnaire relating to the plebiscite, the application of which he seeks to confine to the central portion of the Territories in question, the Northern and Southern sections of the territories thus divided to belong respectively to Peru and Chile.

17. Political crisis on both sides interrupted the progress of the matter until the 18th of May, 1895, when a treaty was signed between Chile and Bolivia. Annexed thereto was a "Secret Treaty" providing that:

"if, as a consequence of the plebiscite under the Treaty of Ancon, or in consequence of direct agreement the Chilean Republic should acquire dominion and permanent sovereignty over the Territories of Tacna and Arica, it undertakes to transfer the same to the Republic of Bolivia, in the same form and to the same extent as it shall have acquired them without prejudice to anything that is contained in Article II, etc. . . ."



18. In August, September and November, negotiations proceed, the Chilean Minister Plenipotentiary enquiring in what manner the Republic of Peru would ensure payment of the 10,000,000 piastres.

19. On the 30th of April, 1896, the Chilean and Bolivian Governments supplement the foregoing convention by the clause which follows:

“The Government of Chile on its part approves the Protocol of the 9th of December, ratifying the principal convention for the transfer to Bolivia of the Tacna and Arica Territories, and clause 4 of which referring to Article 4 of the Treaty of transfer of the 4th of May, provided for the case of the handing over of Vitor and analogous places suitable for the establishment of ports likely to satisfy the requirements of commerce, that is to say, having the depth of water for merchantmen and land for docks, customs and the establishment of population which by reason of the construction of a railway from Bolivia would correspond to the fiscal and economic development of the country.”

20. In 1897, the Peruvian Minister for Foreign Affairs presents to the Legislative Body a report upon the questions of the previous year in which he voices his protests and reservations concerning the convention for the transfer of the Territories under discussion signed between Bolivia and Chile.

21. In August of the same year, there were pourparlers between the Peruvian Minister for Foreign Affairs and the Chilean Minister Plenipotentiary in the course of which the latter's proposal to decide the question by a direct conveyance was rejected and Peru maintained its request for the carrying out purely and simply of the Treaty of Ancon.

22. In December, the Government confidentially makes another attempt with Mr. Billingham, Minister Resident at Iquique, to obtain an arrangement for a direct cession or conveyance.

23. At last a protocol stipulating the conditions of the plebiscite was signed at Santiago on the 16th of April, 1898, on behalf of the two parties by Mr. Billingham representing Peru and Mr. Latorre representing Chile, both Representatives being duly accredited.

24. Under this protocol which was “meant to serve as a complement of Article 3 of the Treaty of Ancon,” the modalities of the plebiscite which the Parties were agreed to cause to be taken were submitted to the arbitration of the Spanish Government. Within forty days of the communication of the arbitral award,



the two governments were to appoint their representatives and the Spanish Government a third in order to constitute the Plebiscite Commission. Lastly everything was minutely settled even to the method of payment of the 10,000,000 piastres by the State which would have to make that payment under the result of the Plebiscite.

25. The Protocol was ratified on the..... by the Chilean Senate, but on the 14th of January, 1901, the Chamber of Deputies refused to ratify it.

26. The resolution by which the Chilean Chamber of Deputies effected the rejection was framed as follows:

“Taking note of the various observations formulated in the course of the debate and more particularly of the arrangement under which the questions which the Protocol of the 16th of April, 1898, submits to arbitration, are settled directly between the Governments of Chile and Peru, the Chamber is of opinion that the said matter be sent back to the Executive to devise some other diplomatic process (gestion) to serve as a complement to clause 3 of the Treaty of Ancon.”

This resolution cancelled that part of the Protocol which referred to the arbitration of the Spanish Government the modalities of the plebiscite.

27. Meanwhile Chile was actively engaged colonizing the territory in question which led to an official protest on the part of the Peruvian Plenipotentiary at Santiago under date of the 14th of November, 1900, who pointed out that Chile was pursuing in that territory a policy manifestly calculated to influence the plebiscite in a direction favorable to itself.

28. After the Chilean Chamber of Deputies had thrown out the Billinghurst-Latorre Protocol, the Peruvian Plenipotentiary in Chile on the 19th of January, 1901, sent to the Chilean Government a reasoned protest which reviews the position thoroughly and exhaustively. He pointed out that if, in this case recourse had been had to arbitration, it was because of the impossibility of arriving at a direct understanding. He recalled all the efforts which the Peruvian Government had made to settle the question and the constant refusal on the part of Chile to come to any conclusion in the negotiations in spite of Chile's good-will. In his report to the 1898 Congress, Mr. Latorre, Minister for Foreign Affairs, had declared that “arbitration was always greeted by his Department with genuine favour, which was one of the most honorable traditions of his diplomatic practice.” Chile, he said,



would in the present case "again give a proof of the spirit of justice by which its actions are actuated and of its respect for the high and conciliatory means advocated by modern civilization." The protest recalled the oppressive measures taken by Chile in order to crush Peruvian feeling, the closing of Peruvian Schools, the exclusion of Peruvians from all local administration, etc. Lastly Peru reserved its right to reopen negotiations concerning the plebiscite and maintained all rights derived from the Treaty of Ancon. Peru hoped that the Chilean Government would take some steps in order to bring about a prompt settlement of the question.

29. In the month of March, 1901, the Peruvian Government gave expression to its feelings by recalling the whole of its Legation staff from Chile.

30. On the 26th of May, 1901, the Peruvian Government sent out a Circular to its different legations relating to the question and disclosing the fact that Chile had made proposals to Peru for the settlement of the Tacna and Arica difficulty by a partition of Bolivia.

32. Meanwhile and before the expiration of the ten years of occupation, Peru's French creditors wishing to take advantage of the possibility of Chile obtaining the final sovereignty over the Provinces in question, caused to be concluded at Santiago in Chile under date of the 23rd of July, 1892, an agreement whereby the 10,000,000 piastres which would then become payable by Chile to Peru would be considered as hypothecated or attached in favour of Peru's French creditors.

This agreement which gave rise to arbitration at Lausanne in 1901, has never been recognized by Peru, but on the 5th of September, 1892, the Peruvian Government communicated to Mr. Vial Solar, the Chilean Minister at Lima, a draft agreement concerning future relations of a commercial character between Peru and Chile. It was therein proposed that, Chile having evacuated the Provinces of Tacna and Arica, there should be granted to the Republic of Bolivia a share in the Customs revenue under which one-third would be allotted to Bolivia, one-third would be applied to the redemption of the Chilean-Bolivian debt and the rest would be credited to Peru's external debt.

N. B. These proposals do not seem to have gone any further, but they show that at the time the High Contracting Parties contemplated the possibility of substituting evacuation pure and simple for the plebiscite, subject to some commercial settlement.



33. A Treaty having been concluded between Chile and Bolivia under date 20th of October, 1904, Peru delivered a note of protest to the Chilean Legation on the 18th of February following, in which it was declared that such Treaty could in no wise affect Peru's rights concerning the provinces of Tacna and Arica.

34. This protest was renewed in a further note of the 25th of April, 1905, in which it was recalled that at the time of the negotiations which led up to the Treaty of Ancon, there was question first of all of an indemnity of 20,000,000 piastres, then of a permanent surrender of the Provinces of Tacna and Arica, that these two proposals having been declined, a compromise was effected in the terms of Article 3 of the Treaty of Ancon, and that in the official report submitted to the Chilean National Congress in reference to this Treaty, it had been declared that the indemnity of 10,000,000 piastres added to the revenue from the said Provinces during the ten years of occupation would exceed in value the 20,000,000 piastres first suggested as an indemnity.

In reply to the Chilean contention that the temporary surrender of Tacna and Arica was in reality a disguised permanent surrender, it was recalled that in the Treaty, Peru had surrendered the Tarapacá Province unreservedly, which showed that the parties had created a distinction between a temporary surrender and a surrender on a permanent basis.

To another contention that the delay in holding the plebiscite was imputable to Peru, an emphatic denial was given.

The Peruvian note concludes "Al Gobierno de mi país le es muy grato aceptar la invitación de V. E. con el objeto de negociar la ejecución del tratado de Ancón respecto de las provincias de Tacna y Arica."

35. At last on the 2nd of December, 1918, the Chilean Minister for Foreign Affairs circularized his diplomatic agents in order to "restore the fundamental facts" concerning various incidents which are always more or less connected with the chief question of Tacna and Arica.

By a Circular of the 12th of January, 1919, the Peruvian Government replies to the Chilean Circular opposing all the Chilean contentions on the subject.

*N.B.* My dossier lacks several documents which I should have liked to consider but the above facts make up an uninterrupted chain of communications relative to the Provinces in question down to the present year.



### *Questions*

On this Statement of Facts, my opinion is sought concerning the following points:

1. What is the nature and what is the legal effect of Article 3 of the Treaty of Ancon?
2. Has there been a waiver of rights on the part of Peru? i.e., a waiver of rights on the part of Peru in favour of the occupying State in the nature of acquisition by prescription?
3. Is the failure to carry out imputable to Peru?
4. Is it imputable to Chile?
5. What are the juridical consequences of the failure to carry out the said clause by the two parties?
6. Is it still susceptible of being carried out?
7. If the difficulties cannot be solved diplomatically, what must the solution be?

### *Answers*

1. The Treaty of Ancon establishes three sets of different rights and interests: those of Peru, those of the inhabitants at the time of the conclusion of the Treaty and of their successors and those of Chile.

As regards Peru, it continued to be the Sovereign State, subject to the two reservations in favour of the inhabitants and of Chile. Chile's right was a right of occupation which expired at the end of ten years of the tenancy granted. The right granted to the inhabitants is accessory and until exercised, it leaves intact the legal situation existing between Peru and Chile. This situation is that Chile had a right of occupation of the territory in question until 1894, when the 10,000,000 piastres would be payable by Peru upon the evacuation by Chile. If the State of Chile became the Sovereign State at the end of these ten years, it was to pay to Peru the same amount as being the value of the perpetual sovereignty.

It follows that the plebiscite should have been prepared as was proposed by Peru before the expiration of the lease (Vide No. 7—Statement of Facts) in order that it might be possible to take it before or on the day of its expiration.

The Article in question places the population of the occupied territory for ten years under the régime of Chilean legislation, but leaves to that population the option, upon the expiry of the time stated, of deciding by means of a plebiscite whether it wishes to remain under the new or to continue under the old sovereignty.

There are precedents of occupation without domination, but what distinguishes the Tacna and Arica question is the fact that the Treaty leaves it to the population to decide at a certain date whether it wishes to become Chilean. It continues to be Peruvian if it does not decide the contrary. The wording of the Treaty is explicit: *continúa siendo parte del territorio peruano*. The use of the word *continúa* leaves no doubt as to the intention of the two States at the time the Treaty was concluded. The alternative which was left to the popular vote was to remain (*quedar*) under the domination and sovereignty of Chile. It was not a question of becoming Peruvian again. The population continued to be Peruvian subject to its option of becoming definitely Chilean.

Chile has contended that the absence of a date for the taking of the plebiscite entitles it to remain in possession. There is neither foundation nor analogy for such an inference. Peru has claimed the appeal to the plebiscite before and ever since the expiration of the lease.

The only analogy to be found in civilian affairs for such a case would be that of a tenant who has remained in occupation failing any available forces to evict him.

It is obvious that an extension of the occupation might change the situation to the detriment of Peru; that a new generation born in the territory in question, growing up under the regime of laws of the occupying State, and having interests rather within the latter than beyond the frontiers, might in time lose its affection for the mother-country; that the infiltration of Chilean population might turn the popular scale in favor of Chile.

Thus the date which was ten years after the signature when the plebiscite should have taken place was an essential factor in the Treaty of Ancon.

After the expiration of the time, the presumption was that the territory and its population continued to be Peruvian. The occupation was to come to an end on the expiration of ten years unless there was a contrary decision by the population itself.

2. The statement of facts answers this question. The question has remained open. Peru has never allowed sufficient time to elapse between its numerous claims to warrant any suggestion of a waiver of rights. Moreover Chile does not raise the question.

3. The failure to carry out the Article in question of the Treaty of Ancon cannot be imputed to Peru which in 1898 had accepted a protocol which regulated the question of the plebiscite as provided for by the said Article. This protocol was rejected by Chile.



4. This failure is imputable to Chile by reason of this refusal. Prior to such refusal this State might have argued that the carrying out of Article 3 of the Treaty of Ancon provided for by this protocol which made no reservations, covered previous failures for which it might have been held responsible by reason of the delay in carrying out. Its refusal not only made it responsible for the non-execution, but also revived and restored Peru's rights against Chile which the protocol might otherwise have covered.

5. Title cannot be created by the default, the act or the refusal to act on the part of the party by whom such title is claimed.

Chile's rights cannot have increased or improved by reason merely of its attitude of refusal to carry out.

Chile can no longer insist upon a plebiscite which by its own act, it has lost the right to claim.

The proviso concerning the plebiscite was inserted in the Treaty manifestly in Chile's interest. The status quo was that the territory in question continued to be Peruvian unless there was a popular decision to the contrary at the end of an occupation of ten years. In other words, Chile was there only in the position of a tenant with an option of permanent acquisition subject to the consent of the population.

Chile did not exercise its right at the end of the ten years. In a civil case, Peru would resume possession of its territory, and between States, International Law endeavours to apply that which most nearly approximates Civil Law.

6. Chile having lost its right as a tenant with option to purchase, it is Peru's right to decide between the application of the plebiscite and the payment of the 10,000,000 piastres due to Chile under the terms of the Treaty, without prejudice to Peru's right to claim compensation for unwarranted occupation by Chile.

An unofficial suggestion that the occupation was but a permanent taking of possession in disguise is not admissible in the face of the elaborate stipulations of the Treaty, the determination of a date for the evacuation, and the reservation as to a popular decision.

As a matter of fact, the occupation of Tacna and Arica according to these stipulations, essentially differs from all other cases of occupation with attribution or exercise of sovereignty; from the case between the Venezuela and British Guiana where there was a frontier to be traced, a question which was settled by arbitration; from the case of Bosnia-Herzegovina between Austria-Hungary and Turkey arising out of a treaty which had not stipulated any

length of time for the occupation; from the case of Schleswig which arose out of a stipulation liable to immediate execution, that is to say, without time or limit of occupation.

7. Chile being in possession and the Society of Nations not having been yet constituted with the necessary powers and means to administer justice between the two States in question, there remain but the direct diplomatic method, mediation, international inquiry or arbitration.

The direct diplomatic method appears to have failed and the inquiry which is but a means of collecting information as to facts could not, it seems, serve any useful purpose. There remains therefore, but mediation or failing mediation, arbitration. In the one as in the other case it can no longer be merely a question as to the modalities of the plebiscite as had been proposed in the Protocol of 1898, but of the whole position as it appears at the present day and especially as regards reentry upon the territory unduly occupied by Chile, of the supplementary indemnity for losses due to the supercession of Peru's sovereign rights since 1894.

It is clear from the ensemble of the position established by the facts of the case that Peru has never ceased to lay stress upon the rights which it derives from Article 3 of the Treaty of Ancon.

It has been seen that Chile in fact has never been able to deny its wrong and that, on two separate occasions, its government took steps, which were later abandoned, in order to give satisfaction to the Peruvian claims.

The de facto situation has got complicated owing to the lapse of time with changes of population. The population of the present day is no longer that of 1894, which alone was contemplated in the Treaty of Ancon.

How can the Treaty of 1884 be executed after twenty-five years of unwarranted occupation?

Three solutions appear possible:

1. That provided for by the Treaty itself, i.e., the plebiscite in which only the population habitually resident in the two Provinces in 1894 would take part.

2. That of considering that the failure to carry out this clause operates as a waiver of the right which enabled Chile with the consent of the population to convert its temporary occupation into a permanent acquisition, a right of which it is too late now to take advantage.

3. That of submitting the whole question to the decision of



arbitrators or of a State, or to accept the mediation of a State which would considerably abridge the delay and expense involved in arriving at a solution.

The solution which appears to be required as a matter of law, is the second.

I may wind up by recalling the provisions of the Hague Conventions of 1899 and 1907 on Arbitration which have been ratified by both Parties and in which Article XXXVI (Article XVI of the Convention of 1899) provides that "in questions of juridical order and especially in questions of interpretation or application of international conventions, arbitration is recognized by the Contracting Powers (in the convention of 1899 'the signatory Powers') to be the most efficacious and at the same time the most equitable means of adjusting differences which have not been settled by diplomatic methods."

The difference relating to Tacna and Arica being both a question of a juridical order and a question of the application of a convention comes in a two-fold capacity within the terms of the above cited Article.

(Signed)

THOMAS BARCLAY.

130 W. Sq., Lincoln's Inn,  
April, 1919.

REPUBLIC OF FRANCE	} SS
City of París	
United States Consulate General	
12 Jan., 1924	

The signature of THOMAS BARCLAY  
is certified to be genuine.

(Signed) DAMON C. WOODS,

*Consul of the United States of America at Paris, France,*

285. Stamps of the American Consulate General.

## No. 2

### Expenses of Chile in the War with Peru as shown by extracts from the Report of the Ministry of Finance of Chile, 1881.

Page CLXXVII:

“If it is a fact that the military occupation produces sufficient for its upkeep and perhaps even leaves a surplus, since the Callao Customhouse and the Army Paymaster’s office have furnished drafts on Europe for sums the reverse of small, while these enable the cost of all the administrative services imposed on the enemy country to be fully met, yet such revenue is necessarily of an unstable and transitory nature, and will come to an end upon the withdrawal of the state of occupation. Such being the case, and since the military occupation is at an end, the cost which it entails should not be taken into consideration, thus bringing about at the same time a reduction in revenue and a reduction in expenses.”

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Page CLXXVIII:

“The War has imposed considerable sacrifices on the Nation, both in blood and money, the former of inestimable value while the latter are easily susceptible of adjustment, falling far short of the amounts which, at first sight, are explainable in view of the magnitude and duration of the operations which it was necessary to undertake. It is now possible to approximately calculate the disbursements which, up to date, the war has occasioned and to strike a final balance of the general account.

“This account will necessarily have to make a distinction between the disbursements which the war demanded and the sacrifices which it has imposed upon the Treasury disbursements and expenses which are dissimilar since part of the former has been supplied by the resources which the war itself furnished and which, therefore, are by no means to be considered as a charge upon the national Exchequer.”



Page CLXXVII:

# RECEIPTS FROM 1879 UNTIL AUGUST, 1881, FROM THE SOURCES HERE MENTIONED

Customhouse of Callao.....	\$1,760,985.33
Customhouse of Arica.....	1,052,470.60
Customhouse of Iquique.....	3,542,594.71
Customhouse of Tocopilla.....	390,539.55
Customhouse of Mejillones.....	1,640.37
Customhouse of Antofagasta.....	1,720,450.56
Sum of the receipts from the Customhouses of the North.....	\$8,470,578.12
Receipts from other sources:	
Nitrates of Tarapaca, balance.....	\$106,620.76
Donations for the war.....	142,306.95
Contribution of war (war tax).....	2,197,194.47
Product of Guano.....	209,769.15
Sale of goods taken from the enemy.....	113,128.93
Redemption of mortgages.....	2,842,609.16
	<hr/> 5,611,629.42
Loan.....	2,000,000.00
Issuance of paper money.....	28,000,000.00
	<hr/> \$44,082,207.54
Profit obtained from the coining of lightweight money.....	1,419,112.65
	<hr/> \$45,501,319.19

## EXPENDITURES MADE IN THE WAR FROM 1879 UNTIL AUGUST, 1881

Ministry of the Interior.....	\$762,871.82
Ministry of the Exterior.....	192,866.85
Ministry of the Justice, Education and Public Instruction:	
Section of Justice.....	\$54,487.28
Section of Education.....	82.00
Section of Public Instruction.....	8,218.00
	<hr/> 62,787.28
Ministry of the Treasury.....	4,992,496.33
Ministry of the War.....	16,877,363.47
Ministry of the Marine.....	10,620,701.05
	<hr/>
Total of classified expenditures.....	\$33,509,086.80
Amounts intended to be included in expenses of the war and for which respective accounts have not been rendered:	
Accounts pending at the end of 1880.....	11,354,184.85
Remittances made to Europe as of September 12th.....	1,847,014.39
	<hr/> \$46,710,286.04

Page CLXXX:

“As will be seen, the expenditure amounts to the sum of 46,710,286.04 pesos, and the extraordinary revenue, by means of which it has principally been met, to that of 45,501,319.19 pesos.”

“It was indeed most fortunate that the public funds should have been handled with such severe economy when the Republic was overtaken by the war, because this has enabled the expenses,

originated thereby, to be met with the residue which was bound to accrue once revenue returned to normal conditions and necessarily showed favorable balances, owing to the fact that expenditures, when approved, were shorn of every superfluity. This likewise enabled the Government to avoid having recourse to indirect revenue, in so far as such residue was concerned, and, in a like proportion, to lessen the burdens which would have weighed heavily upon the nation.

"These burdens are the issue of 28 million paper pesos; the two million loan, the 2,842,609.16 for the redeeming of annual obligations (mortgages), and 1,419,112.65 obtained through light coinage, an amount the Treasury will have to refund when this currency is withdrawn from circulation, all these items making up the total of 34,261,721.65. This amount, added to that of the surplus from the estimated expenditure, which is around 9,000,000 pesos, properly represents the real and actual cost which, up to date, the war has occasioned to the Republic. The remaining expenditure has been met by the resources obtained from the enemy countries. From the totals expressed by the figures quoted above, two items must be subtracted: the first being the September assets, to the amount of not less than 4,000,000 pesos; the second, the value of the ships, war material, munitions and stores which have been obtained and which are at present in use and constitute a national asset. The transports, *Amazonas*, *Chile* and *Paita*, the corvette already built and paid for, the other corvette on the stocks, of which two of the six installments of the total price contracted for have been already paid, are also tangible assets and represent, if not the actual amount, at least approximately that of their original value. The cannon for the ironclads, the *Huascar*, and some ports, can be considered as belonging to the same category. The considerable quantity of artillery and infantry war material, of which the greater part is being conserved, likewise represents a figure which should be taken into consideration and which, indeed, enables a saving to be effected in the disbursements. All these items, the value of which cannot be easily computed, can, however, be estimated at close upon 8 to 10 million pesos.

"As there are several obligations still outstanding for considerable amounts, it seems superfluous to state that the preceding estimates and valuations are not mathematically accurate and are to be taken in an approximate and prudential sense. The figures which are absolutely accurate are those which relate to



the value of the balances on hand in Chile and in Europe on the date when the present Administration went out of office. These prove that during a period of five months the income has exceeded the expenditure, notwithstanding that the latter is still very heavy, due to no event of any special significance, but merely owing to the natural course of circumstances. This explains why a balance which appeared for the first time during the course of the month of May, had, by that of September, gradually grown to a sum of several millions, while it is to be hoped that by the end of the year it will have continued to increase in the same proportion as heretofore.

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Page CLXXXIV:

“From an economic point of view, Chile must never consent to relinquish her hold on Tarapaca nor to accept any solution which might imply even the possibility of such a result being brought about.

“The war, which may, to a certain extent, appear to have been due to a struggle for political supremacy, has been principally a war originated by economic interests.”

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## Nº 2

### **Gastos de Chile en la guerra con el Perú, según aparece de los extractos de la Memoria del Ministerio de Hacienda de Chile, 1881.**

Pág. CLXXVII:

Si es cierto que la ocupación militar se costea i quizás deja un sobrante, puesto que la Aduana del Callao i la Comisaría del Ejército han proporcionado jiros sobre Europa por cantidades no insignificantes, al mismo tiempo que permiten hacer todos los servicios de la administración implantada en el territorio enemigo, estas entradas tienen un carácter esencialmente eventual i transitorio, i deben concluir con la ocupación. En tal caso, por lo mismo que la ocupación militar haya llegado a su término no deben tampoco computarse los costos que ella impone, produciéndose así, al mismo tiempo, la disminución de entradas i la disminución de gastos.

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Pág. CLXXVIII:

La guerra ha impuesto a la Nación sacrificios considerables de sangre i de dinero, inapreciables los unos, los otros no difíciles de regular i que no alcanzan con mucho a las sumas que, a primera

vista, pueden imaginarse, atentas la magnitud i la duración de las operaciones que ha sido forzoso emprender. Ya es posible hacer un cálculo aproximado de los desembolsos que, hasta hoi día, ha impuesto la guerra i presentar en globo un balance de su cuenta jeneral.

En esta operación, hai que hacer una distinción necesaria entre los costos que ha demandado la guerra i los gravámenes que hace pesar sobre el Tesoro, costos i gravámenes que no son los mismos, puesto que una parte de los primeros se han sacado de los recursos que ha proporcionado la misma guerra, i que, por lo tanto, no representan una carga impuesta al Erario Nacional.

#### ENTRADAS DESDE 1879 HASTA AGOSTO DE 1881 EN LAS OFICINAS QUE SE EXPRESA

Aduana del Callao.....	1,760,985.33
Aduana de Arica.....	1,052,470.60
Aduana de Iquique.....	3,542,594.71
Aduana de Tocopilla.....	390,539.55
Aduana de Mejillones.....	1,640.37
Aduana de Antofagasta.....	1,720,450.56
Suma de las entradas por las aduanas del norte.....	8,470,578.12
Entradas por otras oficinas:	
Salitres de Tarapacá, Saldo.....	106,620.76
Donativos para la guerra.....	142,306.95
Contribución de guerra.....	2,197,194.47
Producto de guano.....	209,769.15
Venta de bienes tomados al enemigo.....	113,128.93
Redención de censos.....	2,842,609.16
	5,611,629.42
Empréstito.....	2,000,000.00
Emision de papel moneda.....	28,000,000.00
	44,082,207.54
Utilidad obtenida en la amonedación de moneda feble.....	1,419,112.65
	45,501,319.19

#### GASTOS HECHOS EN LA GUERRA DESDE 1879 HASTA AGOSTO DE 1881

Ministerio del Interior.....	762,871.82
Ministerio del Exterior.....	192,866.85
Ministerio de Justicia, Culto e Instrucción Pública:	
Sección de Justicia.....	54,487.28
Sección del Culto.....	82.00
Sección de Instrucción Publica.....	8,218.00
	62,787.28
Ministerio de Hacienda.....	4,992,496.33
Ministerio de Guerra.....	16,877,363.47
Ministerio de Marina.....	10,620,701.05
Total de gastos clasificados.....	33,509,086.80
Cantidades destinadas a gastos de la guerra i que aun no se han rendido las respectivas cuentas:	
Cuentas pendientes en fin de 1880.....	11,354,184.85
Remesas hechas a Europa hasta el 12 de setiembre.....	1,847,014.39
	46,710,286.04



Como se ve, los gastos han ascendido a la suma de cuarenta i seis millones setecientos diez mil doscientos ochenta i seis pesos, cuatro centavos (\$46,710,286.04), i las entradas extraordinarias con que principalmente han sido atendidos, a la de \$45,501,319.19.

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Indudablemente fué una verdadera fortuna que el Erario se encontrase sujeto a un severo réjimen de economía cuando la República fué sorprendida por la guerra, porque de esta suerte ha sido posible alimentar ésta con los remanentes que no podían menos que obtenerse una vez que el presupuesto de entradas volviese a sus condiciones normales, en las cuales debían alcanzarse saldos favorables desde que el presupuesto de gastos era sancionado con todas las reducciones que podía consentir. De esta suerte, también, se ha podido no acudir a los recursos extraordinarios en tanto cuanto importasen esos remanentes, i disminuir en la misma proporción los gravámenes que habían de pesar sobre la nación.

Estos gravámenes consisten en 28 millones de pesos de la emisión del papel-moneda, en 2 millones de empréstito, en 2,842,609 pesos 16 centavos por redención de censos i en 1,419,112 pesos 65 centavos que se han obtenido de utilidad en la amonedación de plata feble, valor que el Erario tendrá que pagar cuando retire de la circulación esa moneda, sumando todas esas cantidades un total de 34,261,721 pesos 65 centavos. Esta cantidad i la de los excedentes de los presupuestos de entradas, que puede estimarse en 9,000,000 pesos, constituyen propiamente el costo real i efectivo que la guerra ha impuesto hasta hoi día a la República. El resto de gastos ha sido hecho con los recursos proporcionados por los países enemigos. Del monto que arrojan aquellas cantidades hai que hacer dos deducciones; la primera, por el valor de la existencia en setiembre, cuyo total no baja de cuatro millones de pesos; i la segunda, por el importe de las naves, material de guerra, municiones i equipo que se han adquirido, que actualmente sirven i que constituyen un bien de la nación. Los trasportes *Amazonas*, *Chile* i *Paita*, la corbeta ya construída i pagada, la otra corbeta en vía de construcción i por cuyo precio se han cubierto ya dos dividendos de los seis por que fué contratada, son bienes de un valor positivo, que representan un importe, si no igual al que han costado, al menos aproximativo. Los cañones para los blindados, el *Huáscar* i algunos puertos, se encuentran en igual caso. El considerable material de guerra para la artillería e infantería, i que se conserva en una gran parte, importa también

cantidades que hai que tomar en cuenta, i que en realidad disminuyen el monto de los gastos. Todos estos valores, que no será fácil apreciar con exactitud, debe calcularse que ascienden por lo menos de 8 a 10 millones de pesos.

Existiendo cuentas pendientes por valores considerables, parece excusado decir que todas las apreciaciones i cálculos precedentes no descansan en una base matemática i deben considerarse sólo bajo un aspecto prudencial i aproximativo. Los datos que revisten un carácter de completa exactitud son los referentes al valor de las existencias en Chile i en Europa en la fecha en que llegó a su término la administración. Ellas ponen de manifiesto que, en un período de cinco meses, las entradas han superado a los gastos, a pesar de ser éstos todavía mui crecidos, i no por un evento casual ni extraordinario, sino siguiendo la marcha normal de las cosas. Por esto es que un saldo, que aparecía por primera vez en mayo, ha ido aumentando poco a poco hasta llegar en setiembre a algunos millones, i por lo mismo debe esperarse que a fines de año haya aumentado en la misma proporción que ha seguido hasta aquí.

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Pág. CLXXXIV:

Bajo el punto de vista financiero, Chile no debe consentir jamás en que Tarapacá salga de su poder, ni aceptar una solución en que exista la posibilidad de que tal resultado se produzca.

La guerra, que ha podido tener cierta significación de preponderancia política, ha sido principalmente una guerra provocada por intereses económicos.



### No. 3

This exhibit consists of extracts from the "Memoria de Hacienda de Chile" and Admiral Lynch's Reports, giving the years of collection and the pages of the reports from which the figures are taken, for the respective years named. The volumes of the reports are in the Library of Congress and in the library of the Pan American Union. A number of the years are omitted because access could not be had to reports of these years. The exhibit is presented as a partial statement of revenues collected by Chile from the Peruvian provinces annexed and occupied.

#### TOTALS OF ITEMS GIVEN OF REVENUES OBTAINED BY CHILE THROUGH HER PERUVIAN CONQUEST

Revenues from Arica, 1880 to 1923.....	\$25,156,131.30
Revenues from Tarapaca, 1880 to 1923.....	1,412,453,796.87
Sale of Nitrate and Nitrate lands, 1880 to 1918.....	84,653,792.68
Lease of Nitrate lands.....	452,178.49
Sale of residuum from Nitrate.....	40,000.00
Collected at Callao, Lima, and other Peruvian cities north of Callao during the war.....	11,762,653.53
Total.....	<u>\$1,534,518,552.87</u>

#### PARTIAL LIST OF REVENUES TAKEN FROM PERU BY CHILE PRIOR TO THE RATIFICATION OF THE TREATY OF ANCON

Revenues collected at Arica, 1880 to 1883.....	\$4,651,328.70
Revenues collected from Tarapaca, 1879 to 1883.....	23,247,826.15
Revenues collected at Callao, Lima and other Peruvian cities north of Callao.....	11,762,653.53
Sale of Nitrate, 1880 to 1883, and leases of Nitrate beds.....	14,235,464.91
Total.....	<u>\$53,897,273.29</u>

# EXTRACTS FROM MEMORIA DE HACIENDA (DE CHILE)

Showing revenues taken by Chile from

## Arica

<i>For the years:</i>		<i>Report of</i>	<i>Page</i>	
1880	\$287,315.49	1888	78	
1881	1,278,488.29	1888	79	
1882	1,622,323.50	1888	40	
1883	1,463,201.42	1884	55	
				\$4,651,328.70
1884	\$837,764.56	1885	13	
1885	1,853,654.25	1886	62	
1886	1,045,068.87	1888	78	
1887	1,198,376.02	1888	78	
1888	335,958.88	1889	142	
1889	312,912.71	1890	261	
1890	316,112.51	1890-1	173	
1891	348,542.04	1893	61	
1892	1,297,311.33	1894	65	
1893	959,208.46	1894	65	
				8,514,909.63
1894	\$334,780.10	1895	41	
1895	530,619.67	1897	285	
1896	469,995.97	1897	285	
1897	561,446.26	1898	417	
1898	351,538.33	1899	107	
1899	307,742.50	1900	42	
1900	117,239.26	1901	23	
1901	126,547.00	1902	..	
1902	152,356.00	1903	295	
1903	188,463.00	1903	XXI	(Estad Com.)
1904	122,863.51	1905-7	5	
1905	364,808.00	1905-7	100	
1906	592,137.00	1905-7	100	
1907	561,367.00	1909	256	
1908	471,152.00	1909	104	
1909	420,916.00	1910	107	
1910	480,909.00	1910	107	
1911	616,729.00	1911	47	
1912	635,032.00	1911-13	62	
1913	643,917.00	1911-13	62	
1914	419,835.00	1914	171	
1915	241,621.56	1916	42	
1916	270,245.00	1920	151	(Sinopsis Estad)
1917	417,910.14	1918	112	
1918	325,505.67	1919	146	
1919	624,144.00	1920	....	(Sinopsis Estad)
1920	345,212.00	....	....	
1921 } 1922 } 1923 }	1,294,861.00	....	....	

Total..... \$25,156,131.30

*Note:* The revenues for 1921-1922-1923 for Arica were averaged according to the figures taken from Sinopsis Estadística de Chile for the three preceding years.



## EXTRACTS FROM MEMORIA DE HACIENDA (DE CHILE)

Showing revenues taken by Chile from

*Tarapaca*  
(Iquique and Pisagua)

<i>For the years</i>	<i>Report of</i>	<i>Page</i>	<i>Iquique</i>	<i>Pisagua</i>	<i>Page</i>
1879	1880	...Port blockaded almost all year.	\$4,160.86		
1880	1882	179	1,796,082.17		
1881	1882	23	4,385,529.99	\$443,041.70	23
1882	1883	607	5,512,031.66	2,024,539.61	40
1883	1884	42	5,264,861.16	3,817,579.00	44
Total.....			\$16,962,665.84	\$6,285,160.31	
1884	1885	52	6,311,364.52	3,921,781.30	13
1885	1885	(Cuenta General)	6,146,197.74	2,685,221.50	...
1886	1888	73	6,650,239.08	3,535,453.88	76
1887	1888	73	10,147,451.84	6,850,106.58	76
1888	1889	143	10,363,293.84	7,719,758.83	143
1889	1890	261	12,342,873.56	9,138,735.86	261
1890	1890-1	163	16,100,888.79	9,566,274.81	173
1891	1893	61	15,473,061.33	7,599,613.11	61
1892	1894	72	17,548,658.72	6,818,949.16	67
1893	1894	72	24,417,467.28	10,125,430.17	67
1894	1895	47	22,159,359.13	8,700,878.49	44
			577,321 £s	231,297 £s	
1895	1897	287	29,387,368.23	8,837,357.06	286
1896	1897	287	26,639,629.03	7,341,457.79	286
1897	1898	421	23,426,600.03	7,316,219.91	419
1898	1899	112	30,040,916.34	7,482,234.56	109
1899	1900	57	32,834,398.32	6,904,149.64	51
1900	1901	108	36,692,356.86	5,413,983.54	106
1901	1902	121	31,757,664.00	6,168,400.00	121
1902	1903	297	32,188,462.00	7,405,705.00	296
1903	1903	21 (Estad Com.)	31,105,343.00	9,675,507.00	...
1904	1905-7	5	28,578,724.28	9,276,051.80	5
1905	1906	100 (Mem de la Supt.	32,954,906.00	9,017,499.00	100
1906	1906	100 de Aduanas)	32,258,120.00	9,868,927.00	100
1907	1908	259	33,362,546.00	2,146,615.00	258
1908	1909	108	30,495,228.00	7,648,473.00	106
1909	1910	107	30,243,172.00	7,617,266.00	107
1910	1910	107	33,308,376.00	6,906,175.00	107
1911	1911	56	30,428,212.00	7,521,278.00	51
1912	1911-13	62	33,580,641.00	6,534,435.00	62
1913	1911-13	62	33,630,431.00	6,560,987.00	62
1914	1914	171	25,133,253.00	3,963,920.00	171
1915	1915	42	21,382,678.55	3,610,257.88	43
1916	1916-7	81	33,708,407.29	5,887,045.14	81
1917	1918	112	38,874,054.45	6,966,518.27	145
1918	1919	145	42,890,941.28	7,877,544.79	165
1919	1920	151(Sinopsis Estad)	27,226,310.00	1,305,782.00	151
1920	1920	151	57,410,932.00	5,689,469.00	151
1921	for both Iquique and Pisagua		142,400,982.07	.....	...
1922					
1923					
Total for Tarapaca.....			\$1,412,453,796.87		

*Note:* \$8,000,000 is added for the sum expressed in pounds sterling.

# SALE AND LEASE OF NITRATE LANDS IN TARAPACA

Showing items taken from the Memoria de Hacienda (de Chile)

<i>For the year</i>	<i>Report of</i>	<i>Page</i>		
1880	1919	358	Sale of Nitrate.....	\$8,891,667.28
1881	1919	358	Sale of Nitrate.....	1,423,714.84
1882	1883	81	Sale of Nitrate.....	1,618,000.00
1883	1884	52	Sale of Nitrate.....	1,844,755.00
	1918	361	Sale of residuum of Nitrate..	40,000.00
1880	1919	361	Lease of Nitrate lands ...	3,430.55
1881	1919	361	Lease of Nitrate lands .....	1,718.75
1879	1919	35	Lease of Nitrate lands of Toco	91,666.66
1880	1919	35	Lease of Nitrate lands .....	205,833.33
1881	1919	35	Lease of Nitrate lands .....	154,678.50
1882 to 1918	1919	362	Sale of Nitrate lands.....	74,338,410.56

<i>Year</i>			<i>Page</i>
1880-1881	Licenses.....	\$253,000.00	37
	Stamped official paper.....	83,070.65	39
	Taxes on real estate.....	62,571.97	44
	Coinage fees (Mint).....	51,542.94	57
	(Segunda Memoria del Contra Almirante Patricio Lynch, vol. 2).		
	Same items as above.....	249,251.84	not paged
	(1st, Memoria del Contra Almirante Patricio Lynch).		
1881-1882	Collected at Callao, Lima and other Peruvian cities north of Callao....	11,008,216.13	1st report 137
	(Segunda Memoria del Contra Almirante Patricio Lynch, vols. 1 and 2).		2nd report 236
1880	Sent to the Treasury of Valparaiso from Lima by Str. "Chile".....	55,000.00	128
	(1st, Memoria del Contra Almirante Patricio Lynch).		
<b>Total.....</b>		<b>\$11,762,653.53</b>	



#### No. 4

Each of the following affidavits was made before Judge Juan Gallagher y Canaval, of the Court of First Instance of Lima, duly signed in his presence by the several deponents and the different signatures legalized by the Superior Court of Justice of Lima, by the Ministry of Justice and by the Undersecretary for Foreign Affairs (Oficial Mayor), whose signature is in turn certified to by the United States Consul in Lima.

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#### AFFIDAVIT No. 22

In Lima, on the 2nd of August, 1923, R. Antonio Arce appeared, and after being duly sworn, testifies:

That he was born in Tacna, is 42 years of age, married and engaged in business, and that his legal domicile was Iquique, where he resided for eighteen years until 1919, and that he is duly inscribed in the Peruvian Military Register. Deponent testifies that in November, 1918, his business establishment in Iquique was looted by Chilean mobs, since when life had become unendurable there owing to the treatment meted out to citizens of Peruvian nationality, who could secure no guaranties of safety from the Chilean authorities, which appeared to be influenced or directed by a society called The Patriotic League, whose purpose is to persecute all Peruvians, owing to which deponent was compelled to leave the city in February, 1919. His family, which consists of his wife and eight children, under age, left with him. That his property consisted of a house which had cost him forty-five thousand pesos, a business establishment in Iquique with a capital of two hundred and twenty thousand pesos and another in Antofagasta with one hundred and fifty thousand pesos capital and that he was compelled to sell the house and both establishments at a great sacrifice, declaring his losses to be one hundred and twenty thousand pesos; he produces as witnesses the various Peruvians expelled from those territories and gives his present residence as Lima, Tarma Street, 270.

(Signed) R. ANTONIO ARCE.

(Signed) GALLAGHER Y CANAVAL.

### AFFIDAVIT No. 23

In Lima, on the 6th of August, 1923, Juan E. Ramirez appeared, and after being duly sworn testifies that:

He was born in Arica, his age being 73, a shipping agent by occupation and a widower; that he has resided in Arica for 20 years and possesses his baptismal certificates, that in December, 1918, he was summoned by the Prefect of Police of Arica who notified him that he would have to leave the district and territory in Chilean occupation within eight days, which he in fact did, so as to avoid the consequences which he otherwise would have incurred; that his family consists of two sons and two daughters, under age, who likewise left with him since the order of expulsion included them also. He mentions among other witnesses Mr. Arturo Pinto, Louis Belaunde and Pedro P. Pescetto, who will corroborate the truth of this affidavit. His present residence is Callao, Castilla Street, No. 107.

(Signed) JUAN E. RAMIREZ.

(Signed) GALLAGHER Y CANAVAL.

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### AFFIDAVIT No. 24

In Lima on the 7th of August, 1923, Jose Badaracco appeared, and after being duly sworn, testifies that:

He is a merchant 27 years of age, born in Arica where he has resided continuously since his birth and that he possesses his baptismal certificate, and is inscribed in the Civil Register of the Province; that he refused to enroll in the Chilean Military Register, although the Chilean authorities tried to compel him to do so. Deponent further testifies that in May of this year he was notified by the police agent Silva to leave the city of Arica within a short time, taking passage on the S. S. Cachapoal together with his brother Lorenzo who was likewise expelled from Arica. That his family consists of his mother, his brother Lorenzo and four sisters; that in common with his mother and sisters he owns property valued at forty-eight thousand pesos, which is at present leased; that to date he has lost more than a thousand pesos besides his earnings of two hundred and fifty a month. Deponent further testifies that about two months previous to leaving Arica he was visited in his home by a Customs officer named Alejandro Salas who asked him to allow him to put his name down on the list of those persons who would vote for Chile in a plebiscite, but as deponent said he would not vote, he was put



down on the list among the doubtful names. Deponent further testifies that it is true that the Chilean authorities have taken numbers of Peruvian young men from the provinces of Tacna and Arica and sent them to the Chilean province of Coquimbo, that he has witnessed the fact, among those sent being a cousin of his called Juan Estoraica and also a young man called Modesto Corbacho; that for no apparent reason Peruvians are summoned to appear at the police barracks and are detained upon no charge, being subsequently flogged, among which he named Juvenal Lagos, Jorge Acevedo, who, at the time he left Arica was dying of the ill-treatment he had received, Mariano Albarracin and Guillermo Carlos. That his witnesses include the persons he has named and all those who have been expelled from Tacna and Arica. His present residence is Callao, Guise Street, No. 131.

(Signed) JOSE BADARACCO.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 25

In Lima, on August 7, 1923, Lorenzo Badaracco appeared, and after being duly sworn, testifies that:

He is a merchant, unmarried, born in Arica, where he has resided continuously, that he possesses his baptismal certificate and is inscribed in the Civil Register of the Province, that the Chilean authorities endeavored to make him enroll in the Chilean Military Register, but that he refused; that in the month of April of this year the police agent Silva called at his home and notified him that he would have to leave within 15 days, being obliged to settle his affairs and leave the territory; that this order of expulsion was confirmed by the Chief of the Secret Police, Mr. Valdez, and as he was pressed for time, he had to transfer his business at a great sacrifice, leaving in June; that his family consists of his mother and four unmarried sisters; that in common with his mother and sisters he owns nine pieces of city real estate, whose value is 50,000 pesos, and that in addition he had his own business with a capital of 7,000 pesos, estimating his losses to date to be 20,000 pesos and the loss of his earnings of 300 pesos a month; that he has personally witnessed young men being brought by the Chilean authorities from the District of Azapa and shipped South from the Arica pier. His witnesses include all the expelled Peruvians and many foreigners still in

Arica, such as Messrs. Canepa, Nesporo, Manuel Tamiaque, but he fears that these might not testify in his favor, due to the fear of the vengeance of the Chilean authorities. That his present address is Callao, Guise Street, 131.

(Signed)                      LORENZO BADARACCO.

(Signed)                      GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 26

In Lima, August 8, 1923, Enrique Ward appeared, and after being duly sworn, testifies that:

He was born in Lima, is married, 59 years of age and a journalist by profession; that his legal domicile is the Port of Arica, where he has lived for the past 43 years; that he is inscribed in the Military Register of Peru. That on Saturday the 21st of December, 1918, at 11 P. M. his printing establishment was attacked by a Chilean mob, led by the principal members of the Patriotic League, which completely destroyed the printing plant which they invaded by smashing in the doors; that the attack and the looting engaged in also includes the private residence of deponent situated next door to the printing establishment, from which deponent and his family were obliged to escape over the roofs to avoid the fury of the attacking mob; that the excesses lasted an hour and were committed in the presence of the police authorities, who did nothing to restrain the disturbers of the peace but protected them instead; that next day at 6 P. M. the attack was renewed in such a manner that whatever had escaped destruction on the first occasion did not on the second; that on the night of the 22nd a police agent, in obedience to instructions from the Mayor Arturo Quiroz, the only authority in Arica that day, notified him to leave the district with his family, a notification he received at 11 P. M. on the night of the 22nd of December aforesaid, and a few hours later, at 2 P. M. of the 23rd, he was compelled to leave on the S. S. *Guatemala* for Callao; that his family consists of his wife and three children who were all included in the order of expulsion, but who, however, were allowed two months within which to leave and were not expelled as violently as was deponent; that he owns three houses in Arica, one of which was completely equipped as a printing establishment, that the value of the property was 40,000 pesos and the equipment 35,000 pesos, that the property is leased, though poorly, and that the loss on the printing establishment is at least two thirds of its



original value since all that could be collected after the attacks had taken place was stored in one room, its value being hardly one third of the original capital. That he has not only suffered material losses but also that of his business which was the fruit of many years of labor and produced 1,500 pesos per month. Witnesses may be found in all the expelled Peruvians and also in the foreigners residing in the Port, for owing to the scandal occasioned by the occurrence, everybody in Arica knew of it, although probably the foreigners will be reluctant to testify to the truth for fear of the retaliation by the Chilean authorities. His present residence is Lima, Tigre Street, No. 132.

(Signed) ENRIQUE WARD.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 27

In Lima, on the 8th of August, 1923, Juan Miguel Daviú appeared, and after being duly sworn, testifies that:

He is 37 years of age, single, and an accountant by profession, born in Tacna, which is his legal domicile and to which he returned to live with his family after having been expelled from Iquique by the Chilean authorities, since all his relatives reside in the first mentioned city where his family have been established since the last century, but he was only allowed to remain there 14 days. He declares he has his baptismal certificate and is inscribed in the Civil Register of the Province, and that in 1911 the Chilean authorities urged him to enroll in the Chilean Military Register and to avoid this obligation he fled to Bolivia, where he remained four years. He declares he is inscribed in the Military Register of Peru. Deponent testifies that in 1920 in the month of October, 12 days after having arrived in Tacna he was arrested by Luis Mendez, a Chilean police agent, who took him to the police station where he remained all day. At night he was allowed to go to his home to sleep, being conducted there by the police agent Ortiz, who called for him next morning to take him back to the police station, where he was kept all that day, being released that night and accompanied by the same agent. That during 14 days he was taken to the police station every day by the same police agent, Ortiz, and brought home at night until the 20th of October, 1920, when he managed to escape to the Peruvian frontier, after having sent to the Intendente Fernando Edwards a letter of protest, a printed copy of which he exhibits. Deponent declares

that his family consists of five sisters, two of them single and dependent on deponent and three married, all of whom remained in Tacna. Deponent likewise declares that he owns in company with his sisters two farms worth 50,000 pesos, which are leased, and besides the place called Laguna Blanca, which contains borax, lime, and other substances, of all of which he has been arbitrarily dispossessed by the Chilean government, which undertook to empty the river Maure into this lake, thus ruining this valuable property which was worth 200,000 pesos. Deponent testifies that his earnings were 1200 pesos a month and interrogated with regard to the vexatious and other methods put in practice for the purpose of molesting the Peruvian portion of the population, declares that these are summoned upon the most futile pretext and constantly annoyed, to the extent that even the Peruvian market women are made to dress their hair in a particular fashion. He gives as witnesses to this testimony all the Peruvians who have been expelled from the Provinces of Tacna and Arica, and gives his present residence as Lima, Nazarenas Street, No. 432, and in reply to whether he had any further declaration to make, deponent states that on one of the days when he was in prison he was brought before the Intendente Fernando Edwards, who suggested the advisability of his adopting Chilean nationality, and upon his refusal suggested the adoption of Spanish nationality, which was that of his father, and to cease thinking about Peru, which was an unsettled and poorly organized country, to which deponent replied that he could change his clothes but not his convictions, which were Peruvian. Deponent likewise states that the police agent Mendez told him he would be given 48 hours in which to leave the territory once he were released, but that as his detention continued he preferred to escape.

(Signed) JUAN MIGUEL DAVIU.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 28

In Lima, on August 8, 1923, Anselmo Ocharan appeared, and after being duly sworn, testifies that:

He was born in Codpa, Province of Arica, is 52 years of age, married and a farmer by occupation; that his legal domicile is Codpa, and that he no longer possesses his baptismal certificate because the Chilean authorities of Arica took it from him. Deponent declares that he was repeatedly summoned by the Chilean



authorities to go to Arica to register in the Chilean Military register, but that he managed to evade compliance with this order; that in November of last year he was summoned by a soldier to appear before the Sub-Delegate of Codpa, Guillermo Cubillos, who ordered him arrested and taken to the barracks where he remained 4 days, being chained by the feet every night; that from Codpa he was taken to Arica and there in the police station he was put in a cell and that night cruelly flogged. Three days later he was taken by force to the dock and put aboard the launch Nilda, which left for Iquique that same night and on arrival there he was set at liberty, but a few days later learning that he was being sought for by the police authorities, he fled to Bolivia and from there managed to make his way to Peru; that his family consists of his wife and children, four of whom are under age, the whole family being likewise expelled; that his property consists of a farm worth 20,000 pesos which has been left completely uncared for, so much so that he does not at present know whether any one has taken possession of it or not; that he is now completely ruined and that his income was 400 pesos a month; that all the neighbors in Codpa can testify to what he has experienced, and he exhibits the vaccination permit, without which it was impossible to land in Iquique, but states that its contents are false, since he was not vaccinated as certified by Dr. Fierro, nor did he reside in Baquedano Street in Arica, as the certificate states, since he was incarcerated during the days he was in Arica, as he has previously declared.

(Signed) ANSELMO OCHARAN.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 29

In Lima, August 8, 1923, Thomas J. Marquez Vildoso appeared, and after being duly sworn, testifies that:

He was born in Tacna, is 35 years of age, a farmer by occupation and single; that his legal residence is the Department of Leuta, where he has resided for the last five years, and previous to that in Arica; that he has not his baptismal certificate, though he is inscribed in the Civil Register of the Province and that the Chilean authorities brought suit against him owing to his refusal to register in the Chilean Military Register and that he is inscribed in that of Peru, while in reply to the question respecting when he was expelled, he declares that in March, 1919, he received a

notification from the Patriotic League of Arica which informed him that he and his family would have to leave the territory in occupation by Chile within 8 days; that when about half this time had elapsed he called upon Mr. Araya, President of the League, to request that the time limit be extended to one month, but he was only able to obtain an extension of ten days, but that at that time an American commissioner or consul proceeding from Bolivia arrived, with the result that the Chilean authorities immediately lessened their persecutions, a fact of which deponent took advantage to again call upon Mr. Araya for an extension, which was then granted for two months; that he was able to discover that the Chilean authorities and the Patriotic League work in conjunction, because the Prefect of Police confirmed to a member of deponent's family the fact of the granting of the extension by the President of the League, that in compliance with the order of expulsion, deponent sailed in July, 1919; that his family consists of his mother, two unmarried and two married sisters, and that the order of expulsion included the three former women; that deponent in common with his mother and sisters possesses rural property worth from 45,000 to 50,000 pesos, which was managed by deponent but which he was forced to lease under very unfavorable conditions; that his expulsion has caused him to suffer losses to the amount of from 15,000 to 20,000 pesos and his earnings which were 1500 pesos a month; that the persecution by the Chilean authorities consists in depriving Peruvian citizens of their means of livelihood, denying them admittance to the Customs House and allowing Chilean mobs to attack their homes and their persons wherever they may happen to be; that he handed to the Ministry of Foreign Affairs the order of expulsion, which he had received, and that his present address in Lima is the textile factory "La Victoria."

(Signed) TOMAS J. MARQUEZ.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 30

In Lima, on the 16th of August, 1923, Asencio Santa Ana appeared, and after being duly sworn, testifies that:

He is 57 years of age; married, a clerk by occupation and born in Arica, which is his legal domicile, that he possesses his baptismal certificate and is inscribed in the Peruvian Military Register; that on the 12th of November, 1909, and by order of



the Captain of the Port of Arica, Mr. Valdez, he was removed from the Boatmen's Guild owing to his Peruvian nationality, in proof of this unfounded dismissal he exhibits a credential from the British steamship agency in charge of the firm of Nugent and Company; that he subsequently worked with several firms until the first of January, 1917, when he secured the position as porter for the Bank of Tacna, in Arica, where he remained until the 22nd of January, 1919, when he was compelled to leave the territory owing to having been notified eight days previously by a Mr. Vergara, member of the Patriotic League of Chile, that he must leave his employment and the Port of Arica; that as the authorities refused to listen to his petition but instead confirmed the order of expulsion and added great threats against his person and the members of his family, he was compelled to take passage to Callao; that the Chilean authorities, responsible for his expulsion, were the Prefect of Police and Mr. Vergara; that his family, consisting of his wife and four sons-in-law, were obliged to follow him as they lived with him; that he had a small private business in which he had invested from 3000 to 4000 pesos and which was managed by his children and this he was obliged to liquidate at a loss owing to his precipitated departure; that his losses amount to about 1500 pesos, and his earnings of 200 pesos a month; that persons of either sex are constantly attacked with the acquiescence of the authorities, while soldiers from the garrison also take part in these attacks; that witnesses to his statements are Juan Raffo, Julio Rey, Pedro Pescetto and Mr. Saturnino Maturana; that his present address in Callao is Apurimac Street, No. 62.

(Signed)

ASENCIO SANTA ANA.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 31

In Lima, on the 17th of August, 1923, Marcial Rodriguez appeared, and after being duly sworn, testifies that:

He was born in Arica, which is his legal domicile, that he is 44 years of age, a widower, by trade a carpenter, inscribed in the Peruvian Military Register; that on the 12th of June, 1923, he was notified at his workshop in the Dos De Mayo Street in the Port of Arica, by a police agent named Valdez, carrying out instructions from the Governor, that he leave the territory within 15 days, that a few days before the expiration of this term, he

appealed to the Governor, Mr. Bustos, for an eight-day extension, which was granted to him, being informed that this would be the last extension granted to him, so that on the 13th he sailed for Lima; that his family consists of four children under age; that he is the owner of five pieces of property in Arica, and of an undertaking establishment, the total value of which is 80,000 pesos; that the property is rented, four pieces to Chilean citizens and one to an Italian, but that up to date he has not received a single cent for the rent from these people, while as to his business he was obliged to transfer the same, but has never been able to secure payment for this transfer, estimating his losses to be 20,000 pesos, as well as his earnings which were 1800 pesos a month; that the Governor of Arica himself suggested the advisability of deponent's signing a declaration to the effect that it would be better for the Provinces to become definitely Chilean and that he was advised in this same sense by the Civil Registrar, Mr. Manuel Gonzales, and the District Attorney, Mr. Juan de Dios Cepeda; that for the last year the Governor of Arica has been recruiting all Peruvians between the ages of 18 and 35 and sending them South to Caldera; that he has personally witnessed the shipment of various contingents of these men, while in the middle of last April he witnessed the shipment of 40 of these young men by the steamer Taltal; that the authorities, in addition to the threats constantly made to Peruvians to force them to emigrate, have flogged many, among which are Jose Rueda, Juvenal Lagos, Acevedo and Liendo; that his witnesses are Messrs. Lino Taboada, Jose Oviedo and many others, who have been expelled, such as Modesto Belaunde, and that his present residence is Callao, 14 Washington Street.

(Signed) MARCIAL RODRIGUEZ.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 32

In Lima, on August 20, 1923, Anibal M. Marchand Casanova appeared, and after being duly sworn, testifies that:

He is a merchant, married and born in Tacna, which is his legal domicile; that he is in possession of a baptismal certificate, which shows him to be 40 years of age, and that he is inscribed in the Peruvian Military Register; that on the 25th of December, 1918, he was notified personally by Commander Olea of the O'Higgins Regiment to leave the territory within 15 days; that



about that time the newspaper "*El Pacifico*" published his name among those of several persons who were compelled to leave the city of Tacna, owing to their Peruvian nationality, and that upon the expiration of the time allowed him by Commander Olea, he was again notified by the Prefect of Police, Florentino Herrera, to leave Tacna, and in view of the absence of all guaranties of safety and owing to the threats directed against him, he sailed on the S. S. Chile for Callao, that his family consists of his wife, four children under age and an aunt, all of whom were obliged to follow him; that he owned a building in Tacna which housed his moving picture business, called "Mundial"; a business office and a hair dressing parlor, a printing office, called "Mundial" and a book selling business, of a total value of 100,000 pesos, all of which he was compelled to liquidate immediately, suffering the loss of 60,000 pesos, as well as his income of 1500 pesos a month; that the Chilean authorities on several occasions, among them being the commanding officers of the regiments quartered in Tacna, the Intendente of the Province, Orrego Valle, and the Senator for Tarapaca, and Anselmo Blanlot, urged him to sign a declaration relative to the appropriateness of the provinces passing definitely to Chilean sovereignty, and threatening to place difficulties in the way of his business and expel him if he refused, which they eventually did, closing his business "Mundial" on the 23rd of December, 1918; that he knows by hearsay as general knowledge that the Chileans are interning Peruvian citizens from the provinces and sending them South; that he knows positively of the cases of the brothers Reinoso; that the Chilean authorities forbid Chilean residents from patronizing stores belonging to Peruvians and place difficulties of every kind in the way of business men, manufacturers and private persons who employ Peruvians from their service; that they withdraw all guaranties of safety for the interests belonging to Peruvian citizens; that soldiers from the Chilean garrisons constantly invade rural property belonging to the inhabitants of the surrounding districts, who are almost all of them Peruvians, destroying their crops and taking possession of their harvests, while at other times they murder the owners thereof, as happened to Juan Queaz, to Vigo and to Morris Felix; that witnesses to his statement are Alejandro Garibaldi, Amador Cornejo, Carlos Tellez, Emilio Auza, Dr. Emilio Valverde and many others who are in Lima; that his present address is Lima, Chirimoyo Street, 973. Deponent further testifies that in previous years whenever political relations between Peru and

Chile became strained for any reason, deponent and all Peruvians at once became the targets for ill-treatment and abuse; in 1911 Intendente Liran in 1914 Intendente Orrego Valle and in 1918, Deputy Intendente Rojas Arancivia closed his business establishments and threatened him with the looting thereof.

(Signed) ANIBAL M. MARCHAND C.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 33

In Lima, on the 25th of August, 1923, Alejandro Liendo appeared and after being duly sworn, testifies that:

He was born in Tacna, is a farmer, 20 years of age, unmarried, and that his legal domicile is Cabana, District of the same name, where he has resided since he was 15 years of age, having previously lived in Pocollay, that the Chilean authorities compelled him to enroll in the Chilean Military Register, and that on the 10th of the present month he was notified of the sentence of the Judge of Tacna, which condemned him to 60 days imprisonment and two years additional military service for a violation of the "Law on Substitutes and Recruits of the Chilean Army"; that before the verdict he was notified by a police agent to appear at the Court to make a declaration as to his nationality, and having then declared he was a Peruvian citizen, he was, notwithstanding, compelled by threats to register in the Chilean Military Register; and so as to avoid serving the sentence and the illegal drafting in the Chilean army, he left the territory; that the Chilean authority who notified him as to the sentence mentioned above, was Mr. Victor Montt Santana, the Marshal (Receptor De Mayor Cuantia) that his family consists of his father, mother and five brothers; that his witnesses are, among others, Jacinto Jufra, Julio Herrera, Vidal Jufra and Prudencio Aica, and his present residence Callao, Venezuela Street, 261.

(Signed) ALEJANDRO LIENDO.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 34

In Lima, 25th of August, 1923, Julio Herrera Giron appeared and after being duly sworn, testifies that:

He was born in Tacna, 33 years of age, farmer by occupation, married, and that his legal residence is Pocollay, District of the same name, and that he is inscribed in the Civil Register of the Province, and that the Chilean authorities compelled him to



enroll in the Chilean Military Register: that though he was not practically expelled, as he had been sentenced to serve additional time in the army owing to a delay in presenting himself for service, and being determined not to carry out the sentence because he is a Peruvian citizen, he preferred to leave for Lima, which he did on the 21st of August of this year; that though he was not notified to leave the territory, still he was condemned to serve in the Chilean army, suit being brought against him for that purpose, and while he has no documents to prove this sentence, yet he exhibits the receipt for the fees paid by him for the cost of the suit. His family consisting of his wife and parents, remain in Tacna. That two young men called Reinoso and one called Nacara from his District were taken by the authorities and shipped South, and that his present residence is Callao, Venezuela Street, 261.

(Signed)

JULIO HERRERA G.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 35

In Lima, August 25, 1923, Vidal Jufra Roque appeared, and after being duly sworn, testifies that:

He was born in Pocollay, is married, 31 years of age, in business in Tacna and legally domiciled in Pocollay, having been compelled by the Chilean authorities to enroll in the Chilean Military Register; that on the 10th of the present month he was notified by the Marshal of the Court of First Instance of Tacna (Receptor de Mayor Cuantia del Juzgado de Letras de Tacna) of the sentence imposed on him of 60 days imprisonment and two supplementary years military service, as the result of the suit brought against him for a violation of the Law of Substitutes and Recruits of the Chilean Army; that being a Peruvian citizen he was not obliged to serve in the Chilean army, and so as to escape the sentence imposed on him, he preferred to leave the territory on the 21st of this month for Callao; that the Chilean authorities who notified him was the Marshal above mentioned, Victor Montt Santana, who, on communicating the verdict charged him 20 pesos for costs in the action, which was taken in his absence, in proof of which he exhibits the receipt for the amount in question. That his family consists of his wife and five children, under age, and that he owns property consisting of two farms, a house and his grocery business, worth 12,000 pesos, and at present managed

by his wife, while his losses amount to 3,000 pesos, as well as his earnings of 200 pesos a month; that Chilean soldiers constantly invade the holdings of Peruvian farmers, destroying and carrying off their crops and harvests and generally ill-treating the owners; that his witnesses are Julio Herrera, Florencio Ara, Prudencio Aica, Alejandro Liendo and Palomino, and his present address 261 Venezuela Street, Callao.

(Signed) VIDAL JUFRA R.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 36

In Lima, August 28, 1923, Jacinto Jufra appeared and after being duly sworn, testifies that:

He is a farmer, born in Tacna, married, 39 years of age, legally domiciled in Pocollay, District of the same name, where he has resided all his life; that he is inscribed in the Civil Register of the Province, but was compelled by the Chilean authorities to enroll in the Chilean Military Register; that on the 10th of August, 1923, he was notified with regard to carrying out the sentence imposed on him for failure to perform his military service, 60 days imprisonment and 2 supplementary years in the army, that owing to his Peruvian nationality he had decided he would not serve in the Chilean army and preferred to leave the territory and go to Lima. That the notification was made in the name of the Judge (Juez de Letras) of Tacna by Mr. Victor Montt Santana, who did not give him a written record of the sentence, but gave him a receipt, which he exhibits for 20 pesos for the costs of the case against deponent for a violation of the Law of Substitutes and Recruits of the Chilean Army, which should only affect Chilean citizens and not deponent who is a Peruvian; that his family consists of his wife and five children, all under age, who are still in Tacna; that he owns a house and a farm in Pocollay District, which his wife is managing at present; that he can not compute his losses since these depend upon the time he will have to remain absent and the fate which may overtake his property in the future; that his earnings were about 300 pesos a month; that in his District almost all abuses are due to the requirement to effect military service; that his present address is Callao, Venezuela Street, 261.

(Signed) JACINTO JUFRA.

(Signed) GALLAGHER Y CANAVAL.



### AFFIDAVIT No. 37

In Lima, August 28, 1923, Emilio Salinas appeared, and after being duly sworn testifies that:

He was born in Yuta, District of Arica, is a farmer, unmarried, 27 years of age, legal domicile Yuta, where he has lived all his life, that he is inscribed in the Civil Register of the Province, that the Chilean authorities tried to make him enroll in the Chilean Military Register, but that he refused; that on the 2nd of February, 1923, he was notified to leave the Territories of Tacna and Arica, an order with which he did not immediately comply, but learning that he was being actively sought for and was to be taken prisoner, he fled into Peruvian territory on the 8th of that same month; that the Chilean authority who notified him respecting his expulsion was Luis Ramirez Castillo, Commanding Officer of the Detachment in Yuta; that his family consists of four sisters, whom he supported by his work and who have remained in Yuta; that he owns a farm in Yuta and was offered a good position if he would sign a declaration to the effect that it would be better for the Provinces of Tacna and Arica to belong to Chile. Deponent states that he is aware and that it is true that young Peruvians are being apprehended and shipped South, by the Chilean authorities, that among such deponent personally knows Humberto Giron, Juan Gandolfo and a young man called Nina, all of Yuta District; that his witnesses are all the residents of Yuta and also Humberto Palza at present in Lima. Deponent gives his address as Montezuma Street, 270, Callao.

(Signed)

EMILIO SALINAS.

(Signed)

GALLAGHER Y CANAVAL.

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### AFFIDAVIT No. 38

In Lima, on the 30th of August, 1923, Francisco Sanchez appeared, and after being duly sworn, testifies that:

He is a merchant, born in Pocollay, 26 years of age and married, legal domicile Pocollay since his birth, duly inscribed in the Civil Register of the Province. Deponent testifies that the Chilean authorities endeavored to have him enrolled in the Chilean Military Register, but that he refused; that having been sentenced to 60 days imprisonment and 2 additional years service in the Chilean army for a supposed violation of the Chilean Military Law, which does not affect him, since he is a Peruvian citizen, he was obliged to leave his place of residence so as to

avoid being arrested and carrying out such an unjust sentence; that the Judge Lamberto Carro was the authority responsible for his expulsion; that he owned in common with one Juan Viacava a hardware store, and that his share was 4000 pesos, which he sold to his partner, so that his losses only amount to being deprived of his business. Deponent states that the police officer Barahona approached him to secure his signed promise to vote for Chile in case of a plebiscite and that it is true that young Peruvians are being shipped South by the Chilean authorities, being able to give the specific instances of young Manuel Vargas, Francisco Llanqui from Puno, who lived in Tacna and were apprehended and sent to Caldera; that all he has stated is common knowledge in Tacna and surrounding districts, and that his present residence is Lima, Andahuaylas Street, No. 530.

(Signed) FRANCISCO SANCHEZ.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 39

In Lima, August 31, 1923, Pedro Vasquez Rivero appeared and after being duly sworn, testifies that:

He is a clerk, single, 19 years of age, born in Tacna, which is his legal domicile and where he has resided all his life, inscribed in the City Register of the Province; that three months ago the Chilean authorities endeavored to have him enroll in the Chilean Military Register, but that he refused; that owing to this refusal suit was brought against him and although he testified in court that he had declined to register because he was a Peruvian as all his family were likewise, he was condemned to serve in the Chilean army and to avoid being taken by force he fled from Tacna; that his father having died he is the sole support of his mother and two unmarried sisters, who have had to remain in Tacna unprotected; that he owned no property, but earned 150 pesos a month, which he has now lost. That his present address is Lima, Granados Street, No. 824.

(Signed) PEDRO VASQUEZ R.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 40

In Lima, August 31, 1923, Ernesto Chavez Vargas appeared, and after being duly sworn, testifies that:

He is 28 years of age, single, born in Tacna, legally domiciled in that city, where he has resided continuously for the last 12



years, and before that in the Port of Arica, and again in Tacna; that he inscribed in the Civil Register of the Province; that the Chilean authorities in 1915 endeavored to have him enrolled in the Chilean Military Register, but that he refused; that he is enrolled in the Peruvian Military Register; that in January, 1918, he was summoned to appear at the barracks of the "Rancagua" regiment to undertake his military service in the Chilean army, or to immediately leave the territory in Chilean occupation, and confronted by this alternative, he decided to leave Tacna, which he did on the 6th of January, 1918, two days after receiving the summons, having been obliged to leave on this short notice because he could obtain no extension, while the Chilean authorities further insisted on his going by land to Bolivia for he was not even allowed to await the arrival at Arica of a steamer on which to take passage. That the notification was made personally by the Perfect of Police, Florentino Herrera, who called him to his office for the purpose, and who told him he would have to leave immediately if he persisted in his refusal to serve in the Chilean army; that his mother, four aunts, a young brother, two female cousins and a niece—nine persons in all—were dependent on him and were obliged to leave Tacna later, since they had to follow deponent who was their sole means of support, that his property consisted of his household effects which had to be sold at great loss, that his actual losses are about 25,000 pesos, but his real loss consists in having had to leave the place of his birth so precipitately where he had his home and counted on friends and social and business relations; all the neighborhood can testify to the above, as well as Mr. Julio Forero, Juan Auza, who are at present in Lima. His present address is Lima, Washington Street, 261.

(Signed)

ERNESTO CHAVEZ.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 41

In Lima, September 1, 1923, Maximo Gavier Vildoso appeared, and after being duly sworn, testifies that:

He is a farmer, 27 years of age, born in Arica, unmarried, legally domiciled in Azapa, Valley of Arica, since his birth; inscribed in the Civil Register of the Province and in both the Chilean and Peruvian Military Registers; that in October, 1914, he was required to appear in the Magistrate's Court (Juzgado de

Letras) of Arica and there was required to serve the Chilean in army, being given 15 days in which to make up his mind; after this time he was again summoned and knowing that he would be apprehended he left on the steamer *Mapocho* for Lima. The Chilean official who exacted his service was Judge Carlos Ibañez, although deponent told him that he could not serve being a Peruvian citizen; that his family consists of his mother and four brothers under age, who were obliged to follow him when he left Arica; that he owns a farm in the Valley of Azapa, called La Rivera, which is being managed by a relative but which brings him in no income; that his losses amount to 10,000 pesos and 700 pesos a month as earnings; that the Chilean authorities compel young Peruvians to register in the Chilean Military Register and make them serve in the Chilean army; that his witnesses are Ricardo Albarracin, Jose Vildoso, Gerardo Vargas, Pedro Pescetto and others who have been expelled; that his present residence is Lima, Angaraes Street, 244.

(Signed) MAXIMO VILDOSO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 42

In Lima, September 3, 1923, Gregorio S. Nacarino appeared, and after being duly sworn, testifies that:

He is an accountant, married, 53 years of age, born in Arica, which is his legal domicile and where he has resided continuously for the last 12 years; in possession of his baptismal certificate, inscribed as married in the Civil Register of Arica. Deponent testifies that in April, 1923, he was notified by the head of the Secret Police of the Port of Arica to leave the territory in occupation by Chile within three months; that being employed by the firm of Canessa Lameri & Co. he placed the fact before Mr. Andres Lameri, one of the partners of the business firm and who is also Italian Consul for Tacna and Arica, who called upon the Governor of Arica and after his interview with this official communicated to deponent that the order of expulsion had been) rescinded since the Governor had so promised him; that notwithstanding this on the 19th of July he was again notified by the Chief of the Secret Police and required to leave the territory within a painfully short time, which, owing to several petitions was finally extended to the 15th of August, in all less than 30 days; that in this dilemma the other partner of the firm, Mr.



Canessa, appealed to the Chief of the Secret Police, but was unable to obtain compliance with the promise of the Governor, for he was informed that deponent would have to leave at latest on the 15th of August, and in this condition of uncertainty, continually threatened and hounded by the Chilean authorities, the days went by until the 26th of August, when he managed to secure passage on the S. S. *Ortega*, which brought him to Callao, where he arrived on the 30th of that month; that the notifications were personally and verbally made to him by the head of the Secret Service, Valdez, and the Governor, who broke his word given to the Italian Consul, was Mr. Bustos Leon, who is at present Governor of Arica; that his family consists of his wife, four children under age, a sister and a sister-in-law, who are at present in Arica, but who will have to come over to him; that his property consists of a house in Arica valued at 30,000 pesos, and a piece of land, worth 6,000 pesos, that his losses consist in being deprived of his means of livelihood and in his sudden expulsion from the place where he possesses many connections, as well as the loss of his income, which was 500 pesos a month; that witnesses to the above are all the people of the neighborhood, deponent stating that he placed the facts in the knowledge of the American Consul, Mr. Frescot, of the British Consul, Mr. Fry, of the French Consul, Mr. Barbizet, and of the Bolivian Consul, Mr. Pando; that all written records of this order of expulsion were refused him, although he requested them, and that his present address is Pension Terry, Lima, Portal de Botoneros.

(Signed) G. S. NACARINO.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 43

In Lima, on the 3rd of September, 1923, Carlos Vargas appeared, and after being duly sworn, testifies that:

He is a farmer, single, 19 years of age, born in Tacna, legally domiciled in Pocollay, District of the same name, in possession of his baptismal certificate, inscribed in the Civil Register of the Province. Deponent testifies that the Chilean authorities endeavored to have him enrolled in the Chilean Military Register but that he refused; that he is enrolled in the Peruvian Military Register and that having been summoned owing to a violation of the Chilean law on military service, and knowing that as others of his friends had been, he would surely be sentenced and obliged to

serve in the Chilean army, which was repugnant to his patriotic feelings since he is a Peruvian by birth as are also his parents, he decided to leave Tacna rather than continue to suffer the persecution which his sentence would imply and knowing besides, that in this manner he was satisfying the Chilean authorities who had no real interest in compelling Peruvian youths to serve against their will in the Chilean army, but only used the law as a weapon to compel them to leave the Territories of Tacna and Arica; that it is common knowledge that the Chilean authorities seized Peruvian youths and shipped them South, specific instances being those of young Zevallos and young Barrientos, who were taken in Tacna and sent by force to the barracks of the Rancagua Regiment, and from there sent to Chilean ports; witnesses to the above facts being Manuel Rodriguez, David Montes de Oca and Jose Rejas, who are at present in Lima, that deponents address in Lima is Andahuaylas Street, 530.

(Signed) CARLOS VARGAS.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 44

In Lima, September 4, 1923, Humberto Rospigliosi appeared, and after being duly sworn, testifies that:

He is a clerk, unmarried, 23 years of age, and born in Tacna, which is his legal domicile, where he has resided all his life, that he possesses a baptismal certificate, is inscribed in the Civil Register of the Province, that the Chilean authorities endeavored to have him enrolled in the Chilean Military Register, but that he refused, while he is inscribed in the Peruvian Military Register; that on the 10th of May, 1923, he was notified by the police Lieutenant Barahona to appear before the Prefect, Florentino Herrera, who informed him that owing to his refusal to register in the Chilean Military Register, alleging his Peruvian citizenship as an excuse and refusing to serve in the Chilean army, he would be obliged to leave the City of Tacna within 8 days, and that as the steamer Orita touched at Arica on the 14th of that month going to Callao and so as to avoid that the order of expulsion should be accompanied by personal violence against him in case he should delay his departure, he took passage on the said steamer for Callao; that his family consists of his father and five sisters, of which three are under age, all of whom are still in Tacna; that his expulsion cost him 700 pesos and the loss of his wages



which were 270 pesos a month; that many years ago when deponent was a pupil of a public school in Tacna, the Secretary of the Intendente, Mr. Eduardo Cisternas, endeavored to compel him and his fellow students to sign a declaration in which they declared themselves to be Chileans, which they refused to do, in punishment of which they were denied admission to the school during 15 days; that it is true and a fact that the Chilean authorities round up young Peruvians and ship them South, for deponent counted a group of 80 young men at the station of the Tacna-to-Arica railroad, who were taken by force during the month of March and shipped to Coquimbo, and that among these recruits to which he has just referred was one of his first cousins, Juan Liendo, who lived in Tacna; that the soldiers and officers of the garrison continually molest and insult by word and deed all Peruvians whom they meet in public places, while the police authorities countenance these assaults; that these same soldiers continually organize excursions into the country districts to destroy and take possession of the crops and harvests of the farms belonging to Peruvians; that his witnesses are Alejandro Liendo, Julio Herrera, Jacinto Jufra, Vidal Jufra, Eliseo Hidalgo, and that his present address is Lima, Andahuaylas Street, 530.

(Signed) H. ROSPIGLIOSI.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 45

In Lima, September 13, 1923, Maximo Quelopana appeared, and after being duly sworn, testifies that:

He is a carpenter by trade, 44 years old, married and born in Tacna, which is his legal domicile and where he has resided all his life; that he possesses his birth certificate, and that his marriage is inscribed in the Civil Register of the Province; that he is enrolled in the Peruvian Military Register and that in April, 1920, the police agent, Valderrama, notified him to appear before the Prefect of Police, who informed him that as he was the father of eight girls who attended the Tacna Lyceum, a public school, he must become a Chilean citizen in order that his children might continue to derive the advantages of an education in that institute, and upon deponent declining to do so, he was told by the Prefect that he would have to leave the territory in Chilean occupation, and in obedience to that order he took passage on the S. S. Guatemala on the 12th of that same month; that his family

consists of his wife and ten children under age who have accompanied deponent; that his losses are at least 3000 pesos, as well as his income of 300 pesos a month; that his witnesses are Celestino Vargas, Enrique Cerpa, Jose Carrasco, Carlos Barreto, who are at present in Lima. Deponent gives his address as Gallos, Street, 246, in Lima.

(Signed) MAXIMILIANO QUELOPANA.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 46

In Lima, September 13, 1923, Guillermo Lanchipa Caceres appeared, and after being duly sworn, testifies that:

He is a carpenter by trade, married, 35 years of age, born in Tacna, which is his legal domicile and where he has lived all of his life; that he possesses his baptismal certificate and is inscribed in the Civil Register of the Province; that in October, 1922, a police agent called at his home and by order of the Prefect of Police notified him that he would have to leave the territory in occupation by Chile within 15 days and in compliance with this order he sailed towards the end of October on the steamer Ortega for Callao; that his family consists of his wife and three children under age, one of which accompanied him while the other two remained in Tacna with his wife; that his losses are 500 pesos and his earnings which were 300 pesos a month; that it is true and a fact that the Chilean authorities round up young Peruvians and ship them South, specific cases to his knowledge being that of the Reinoso brothers, two Quelopana brothers and others whose names he does not know, because they come from other districts; that his whole neighborhood is aware of the facts herein recited as well as Mr. Jose Irenio Pimentel, and Manuel Vildoso, now in Lima, and that his present address is Callao, 286 Colon Street.

(Signed) GUILLERMO LANCHIPA C.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 47

In Lima, on the 14th of September, 1923, Manuel Vildoso Aliaga appeared, and after being duly sworn, testifies that:

He is a tailor, married, 31 years of age, born in Tacna, legally domiciled in Arica, where he has lived for the last 3 years, though previously in Tacna, inscribed in the Civil Register of the



Province, and compelled by the Chilean authorities to enroll in the Chilean Military Register; that 6 months ago he was notified by the police agents to appear before the Judge because he had not effected his military service and knowing that this meant a sentence of obligatory military service in the Chilean army, which he considered disgraceful and repugnant to his feelings as a Peruvian citizen, he was compelled to leave the territories in occupation by Chile to avoid being persecuted by the authorities; that one of the agents who notified him was called Montesinos, and that he does not know the name of the other; that the Judge before whom he was to appear was Dr. Cuevas; that his family consists of his wife and three children under age, who are still in Arica; witnesses being many persons of Arica and in addition Rodolfo and Victor Palza and Guillermo Lanchipa, now in Lima, his present domicile being 286 Colon Street, Callao.

(Signed) MANUEL VILDOSO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 48

In Lima, September 17, 1923, Edilberto Andrade Leon appeared, and after being duly sworn, testifies that:

He is a shoemaker, 46 years old, married, and born in Tacna, that his legal domicile is the Port of Arica, where he has lived 11 years, that his marriage is inscribed in the Civil Register of the Province of Arica, and that he is enrolled in the Peruvian Military Register; that in January, 1918, his business establishment was attacked and looted by Chilean mobs and a few days later he received a communication from the Chilean Patriotic League informing him that he would have to leave Arica within 18 days, and upon the expiration of that time, the police officer Luis Quiroz and the Sergeant, Guarachi, informed him that he would have to leave that very day, taking advantage of the arrival of a steamer as otherwise deponent and his family would be made to suffer much hardship, so in obedience he left that same day for Callao. Deponent testifies that his family consists of his wife and two children who are with deponent in Callao; that he owned a business establishment appraised at 15,000 pesos which he was compelled to transfer ruinously, losing 10,000 pesos and his income of 500 pesos a month; that his present address is Callao, Mexico Street, 34.

(Signed) EDILBERTO ANDRADE LEON.

(Signed) GALLAGHER Y CANAVAL.

AFFIDAVIT No. 49

In Lima, September 18, 1923, Carlos Pradel appeared, and after being duly sworn, testifies that:

He is a merchant, 55 years of age, married, and born in Tacna, which is his legal domicile and where he has lived all his life, that he possesses his baptismal certificate and is inscribed in the Peruvian Military Register; that on the 31st of December, 1918, he was notified by a police officer, by order of General Arancibia Rojas, Commander-in-Chief of the garrison and pro tem Intendente of the Province of Tacna, to appear before him at 5 P. M. that day; that when deponent appeared Gen. Arancibia Rojas told him that "in compliance with instructions received from his Government he ordered him to leave the territory within fifteen days, since his presence was harmful to the interests of Chile owing to his Peruvian nationality and to the fact that he held an important position in the Province"; that a few days before the expiration of the time limit granted to him, the Chilean Patriotic League compelled him by threats to leave the City of Tacna, so that wanting in every guarantee of safety and so as to avoid being persecuted should he fail to carry out the orders received from the military authorities, he sailed on the S. S. Aisen on the 20th of January, 1919, from the Port of Arica for that of Callao; that his family consists of his wife and five children, two over age, who were obliged to leave Tacna and follow him; that he has suffered the loss of his position, which brought him in 1200 pesos a month, and in addition a loss of 12,000 pesos; that the Chilean authorities persecute the Peruvian population by preventing merchants of that nationality from exercising their business, forbidding foreign firms to employ Peruvian clerks, assaulting Peruvians wherever met with in public places, trespassing upon Peruvian farm lands and seizing and destroying crops, and finally by withholding the necessary water for irrigation purposes; deponent mentions as witnesses Dr. Emilio Valverde, Dr. Carlos A. Tellez, Alejandro Garibaldi, Anibal Marchand and in general all the inhabitants of the Districts around Tacna and Arica actually residing in Lima; that his present residence is Lima, Pachacamilla Street, No. 478.

(Signed)

CARLOS PRADEL.

(Signed)

GALLAGHER Y CANAVAL.



AFFIDAVIT No. 50

In Lima, on the 4th of October, 1923, Manuel Liendo G. appeared, and after being duly sworn, testifies that:

He is 38 years of age, a tailor by trade, married and born in Tacna, which is his legal residence and where he has lived for 22 years; that he possesses his baptismal certificate and that on the 14th of December, 1921, he was notified by a police agent to appear at the Prefecture, and having gone there accompanied by his bookkeeper, Raul Sagarna, who was likewise summoned, they were both orally notified by the Prefect himself, to prepare to leave the territories in occupation by Chile; that two days later deponent was again summoned to appear before the Prefect who informed him that he was allowed 30 days to leave Tacna; that in view of the serious loss which such an order meant to him, he solicited an interview with the Intendente of the Province, to whom he protested against the arbitrariness of the order, but this official, though stating that he regretted deponent's difficulties, yet he could not overrule the Prefect's order because the expulsion was a matter which had been decided in higher quarters, and that after thinking the matter over, the most that could be done was to grant him an extension of 15 days which was also granted to his bookkeeper to enable him to close the books of the establishment; and that after the expiration of the time limit he was obliged to leave Tacna on the 21st of January, 1922; that the Prefect who informed him respecting his expulsion was Florentino Herrera who was at the time accompanied by the Police Commissioner, Enrique Vargas, while the Intendente of the Province who granted him an extension was Luis Barcelo Lira; that his family consists of his wife and five children, all under age, who remained in Tacna until September, 1922, when he was able to arrange for their voyage to Lima; that he owns four houses in Tacna valued at £5,700, the management of which is difficult because he cannot give the matter his personal attention, while in addition he owned a business establishment which was stocked with goods worth more than £4,000, which he was obliged to liquidate at a great sacrifice owing to the short time at his disposal; that his losses amount to £4,000 and his earnings which were £300 a month; that all the foregoing is common knowledge in Tacna; that the last and final order of expulsion was not confirmed in writing, but he retains a communication from the Patriotic League of Tacna, dated December, 1918, and signed by Armando Sanhueza and L. A. Holley which he

exhibits to the Court, and which contains a notification to leave Tacna, this communication having coincided with an attack directed against his place of business and which occurred on December 24th, at night, and with the consent or at least the acquiescence of the Chilean authorities. That in support of the losses sustained and the delicate situation in which he was placed by the order of expulsion, he exhibits copy of a circular letter he forwarded to all his business connections; that his present address is Barranco, Terry Avenue, No. 317.

(Signed)

MANUEL LIENDO G.

(Signed)

GALLAGHER Y CANAVAL.

*Translation of communication from the Patriotic League:*

TACNA, Dec. 19, 1918.

MR. MANUEL LIENDO,

"*The Modern Tailoring Establishment,*"  
*City.*

We wish to advise you by this present communication that at the last meeting of the "Patriotic League of Tacna," it has been decided to allow you three days to leave the Territories of the Republic, but considering that this is perhaps too short a time in which to pack your trunks, we have decided to allow you up to Wednesday, the 25th of this month.

We wish to advise you that we refuse to accept any explanations since it is amply sufficient that you are a Peruvian citizen; nor shall we allow a fictitious sale of your stock, and still less, that you adopt Chilean nationality, since we would consider this last an indignity.

(Signed)

A. SANHUEZA L.,

*President.*

(Signed) L. A. HOLLEY,  
*Secretary.*

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AFFIDAVIT No. 51

Lima, on the 4th of October, 1923, Oswaldo N. Moyano appeared, and after being duly sworn, testifies that:

He was born in Arica, 53 years of age, married, a clerk by occupation, legally domiciled in Arica where he has resided all his life, inscribed in the Peruvian Military Register. Deponent testifies that in 1909 the Intendente Maximo Lira addressed a communication to the manager of the Empresa de Movilizacion,



ordering that all Peruvian employees in its service be dismissed within 30 days, owing to which deponent lost his position with the company, but remained some time in Arica looking for employment, unsuccessfully, since all business firms and commercial houses had received orders not to employ Peruvian citizens, persecution of these reaching the extent of their not being allowed to work even as laborers in the port, the soldiers preventing them from approaching the pier so that they could not even secure momentary occupation as freighters or longshoremen, owing to which hostility deponent was obliged to leave the Territories occupied by Chile; that his family consists of 3 sisters and that his present residence is Lima, Pileta de Santa Catalina, No. 739.

(Signed) OSWALDO N. MOYANO.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 52

In Lima, August 3, 1923, Víctor M. González appeared, and after being duly sworn testified that: He is 40 years of age, a watchmaker and jeweler by trade, born in Tacna where he has resided continually since his birth; that in the month of November, 1920, he was verbally summoned by a police agent to appear before General Rojas Arancibia, and upon being received by the General he was informed by him that he would have to leave the territory of Tacna within 15 days, and he was further required to sign a document to the effect that he was leaving of his own free will, though deponent decided not to sign this document, but being fearful of the retaliatory acts which his refusal might entail, he told the General that he did not know how to write, which saved him from further molestation on that score; that his family is composed of his wife and a daughter who have remained in Tacna; that he owned a shop and dealt in the purchase and sale of coins and jewelry, and he likewise engaged in goldsmith work and watch-repairing, a business which was worth 15,000 pesos which he was forced to give up at a moment's notice; that his losses include the giving up of his business and his income which was 200 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens in Tacna and Arica in various parts of Chile, and that they continually molest and harass the Peruvian citizens who still remain in the

territories, by means of unceasing persecution of their persons, and attacks upon their property consummated by mobs who are either in the enjoyment of immunity from punishment, when they are not directly instigated thereto, by the police authorities. That witnesses to the above are Luis Hinojosa, Carlos Martínez, Epifanio Barreda, Anselmo Barreda, Gerardo Corvacho and in general, all the Peruvian citizens who have been expelled from the irredentist provinces; that his present residence is Lima, Mandamientos Street, No. 278, top floor.

(Signed)

VICTOR M. GONZÁLEZ.

(Signed)

GALLAGHER Y CANAVAL.

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### AFFIDAVIT No. 53

In Lima, August 4, 1923, Juvenal Lagos appeared, and after being duly sworn testified that: He is 35 years of age, married, a merchant, born in the District of Codpa, Province of Arica, and legally domiciled in Arica where he has resided all his life, and in possession of his baptismal certificate; that the Chilean authorities endeavored to compel him to inscribe himself in the Military Register of Chile, having brought suit against him to that effect, and sentenced him to a term in prison; that he is inscribed in the Military Register of Peru where he effected his military service in 1905; that on the 16th of April of this year the police agents, Silva and Zurita, brought him to police headquarters where the police officer, Zuñiga, after having searched him, locked him in a cell where he was kept for several hours, being then taken to another where he was handcuffed and a ball and chain fastened to his legs, and in this condition was then severely flogged; that at 3 in the morning, he was set free and told that he would have to leave the territory within 3 days; that deponent's wife, having complained to the Governor, Emiliano Bustos, this official sent the police officer, Cuadra, to his domicile to see and examine deponent, who was confined to his bed owing to the cruel mistreatment he had suffered, the officer in question having duly noted the marks on deponent's person caused by the flogging he had received; that the Governor thereupon, offered deponent every guarantee of safety, but as he did not trust to them he preferred to evacuate the territory, leaving Arica on the steamer



*Oropesa* on the 28th of May of this year; that his family consists of his wife and 6 children under age who have remained in Arica; that, together with his brothers he is co-proprietor of a piece of land in Arica; that deponent's financial ruin is complete and he has had to suffer in addition, the anguish of being separated from his family; that his losses include his earnings, which were around 1,000 pesos a month; that it is a fact and publicly well known, that the Chilean authorities have continued to deport Peruvian citizens from Tacna and Arica to various points in the Republic of Chile, that as the majority of these are young men from the outlying districts, deponent is not personally acquainted with them and therefore cannot supply their names; that in addition to the usual forms of persecution suffered by Peruvian citizens, another one much favored by the authorities consists in a refusal to grant to them the necessary trade permits (*patentes*), which entirely prevents them from carrying on their trades or businesses; while the withdrawal of all guarantees of safety, and the well-known toleration by the police authorities of cases of personal assault and molestation, which not only go unpunished but are even encouraged, are too well known to need comment; that witnesses to the above are José Rueda, José Antonio Albarracín, Juan Fernández and in general, all the Peruvians who have been expelled from our provinces; that his present residence is Lima, Huamalies Street, No. 153.

(Signed)

JUVENAL LAGOS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 54

In Lima, August 18, 1923, Antonio Chiarella appeared, and after being duly sworn testified that: He is 42 years of age, business man, a widower, born in Tacna which is his legal residence and where he has resided for the last 15 years and in possession of his baptismal certificate; that owing to his business which was that of a cattle raiser, he had occasion to make frequent trips to Lima and on returning from one of these, and as soon as the steamer had anchored in Arica, the police officer Vega appeared on board together with an agent, and notified deponent that he would not be allowed to land unless he were willing to sign a document undertaking to leave Tacna within 2 months; that as it was

absolutely necessary for deponent to go to Tacna, since he could not desert his family, which resided in that city, nor leave his business unattended to, he was compelled to yield, and he signed the document which was presented to him in duplicate, a document which stated that he was leaving voluntarily, the drafters of this document having overlooked the fact that it contained a glaring contradiction, since anyone leaving of his own free will would not logically be required to sign any undertaking to that effect; that as soon as the two months had elapsed, the police agent, Valderama, notified him that the Prefect of Police, Herrera, required him to leave that very day since the time limit granted to him had run its course; that a short while later—that is to say, in November, 1922—he took passage for Callao; that his family consists of 5 children under age who were likewise obliged to leave with deponent; that he owns 4 pieces of property in the city of Tacna valued at 50,000 pesos; that this property practically brings in no return to deponent since, though they are let out, the rents thereon are paid whenever the occupiers feel disposed to pay, special mention being made with regard to the property in San Martin Street which is occupied by a school, the lease having been made with the political authority of the city, the Treasury of Chile being supposed to pay the rent thereon, which, however, has never been paid for the last 2 years; that the damage suffered by deponent is at least 50,000 pesos as well as his earnings which were 8,000 pesos a month; that it is true that the Chilean authorities have continually deported young Peruvian citizens, for deponent personally saw, when travelling on the train between Tacna and Arica, that more than a hundred of these young men, brought from the interior of the provinces, were being conducted to Arica, where they were put on board the steamer *Taltal* and taken to Caldera; while deponent will never forget the heart-rending scenes he witnessed on this occasion when the mothers of the aforementioned boys, having wistfully followed the press gang on foot and left their homes unattended so as to see as much of their loved ones as they could, remained distraught on land, while their children were being brutally urged aboard ship; that all means of livelihood are denied Peruvian citizens, the authorities exacting from Chilean and foreign business firms the undertaking not to employ any Peruvians among their personnel, while public notice is given to all the inhabitants that they should refrain from purchasing any commodity from stores owned or operated by Peruvian citizens; it is, in addition, a fact too well



known to be more than adverted to, that Peruvian citizens enjoy no guarantees of safety in the territories in question; that witnesses to the above are Emilio Auza, Joaquín Zavala, Alberto Forero and Juan Auza who are at present in Lima and will corroborate the truth of the above testimony; that his present address is Mira Flores, Schell Street No. 10.

(Signed)

ANTONIO CHIARELLA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 55

In Lima, August 20th, 1923, Julio Armando Rey appeared, and after being duly sworn testified that: He is 56 years of age, a merchant, married, born in the City of Arica, where he has resided all his life since the age of 7 years and inscribed in the Military Register of Peru; that on the 10th of January, 1919, he was notified by the Chilean Patriotic League, by means of a written communication which, however, was unsigned, that he would have to leave the territory; that at the end of 10 days, which was the time granted to him in the communication (which was a carbon copy of a circular with the names and dates left in blank so as to be filled in as required, and evidently, extensively distributed), a well known secret service agent called at deponent's house located in Colon Street, together with 6 other people, to insist on deponent's taking ship that very day for Peru; that as deponent demurred thereat, he was allowed to appeal to the Police Commissioner, who, after being urgently petitioned, granted an extension of four more days, during which deponent was constantly guarded, being obliged at the end of this extension, and in view of the persecution, the threats, and the absence of all guarantees, to take passage on the steamer *Chile* for Callao; that his family consists of his wife, one son under age, a sister and his mother, the wife and son having been obliged to follow deponent upon his expulsion; that he owns 3 pieces of real estate in the city, 2 houses and a building plot, and 2 farms in the country which are rented, but 1 of them, the farm called "Chacalluta," which is operated by a Chilean, Manuel Nuñez, produces no income because the lessee refuses to pay any rent; that all deponent's holdings are mortgaged because, having been compelled to leave the city so suddenly, and having no means of subsistence in Lima, he was naturally obliged to hypothecate his property; that the amount of his losses total

120,000 pesos as well as his earnings which were 3,000 pesos a month; that witnesses to the above are Tomas Márquez, Raul Rey, Abel Cornejo, Antonio Pinto, Pedro Pescetto, Luis Belaúnde, Manuel Lacunza, and all the Peruvians recently deported from Arica; that his present address is Lima, Siete Jeringas Street, No. 846. The summons to evacuate Arica previously referred to, is attached herewith.

(Signed) JULIO REY.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 56

In Lima, August 29, 1923, Juan Zegarra Beltrán appeared, and after being duly sworn testified that: He is 23 years of age, a business student, unmarried, born in Arica and legally domiciled in Arica, where he has resided continuously for the last 10 years; inscribed in the Civil Register of the Province and in the Military Register of Peru; that one morning in the month of January, 1919, while deponent was in his house in the Port of Arica, his father being absent on a business trip to Antofagasta, which he frequently had occasion to do, he was approached by a Chilean boatman, generally known by the alias "La Chola," who informed him that his father was on board the steamer *Palema*, and that he urgently required to see him; that deponent hastened to the vessel but found, on going on board, that his father was not there and that he had been the victim of a trick; but on attempting to leave the vessel he was prevented therefrom by the Chilean boatmen who surrounded the ship, and as there were no port authorities to whom he could complain on board, he approached the port medical officer, Conrado Rios, and the representative of the steamship line, Sr. del Pino, who informed him that there was nothing to be done except to continue on to Callao; that deponent's mother upon being informed of what had occurred, immediately appealed to the Governor, General Rojas Arancibia, requesting guarantees for her son, and that he be allowed to come on shore, but the Governor replied that he could not go against the popular wishes; that his family consists of his parents and 4 brothers, all of whom are now in Lima having been subsequently expelled; that deponent's passage and expenses were paid by a Sr. Castro, a friend of deponent's father, who was fortunately on board and who was duly repaid; that witnesses to the above are the Sr. Castro pre-



viously mentioned, the employees connected with the port authorities, and the passengers on the vessel; that his present residence is Tarata Street, No. 530.

(Signed)	JUAN ZEGARRA BELTRÁN.
(Signed)	GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 57

In Lima, September 1st, 1923, Gonzalo Gutiérrez appeared, and after being duly sworn testified that: He is 18 years of age, a clerk, unmarried, born in Tacna, which is his legal residence and where he has resided all his life, and inscribed in the Civil Register of the province; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused, and that having been summoned to appear before the Judge, Lamberto Caro, he complied, and after replying to a few questions relative to his age, the nationality of his parents, etc., he subsequently learned that he had been sentenced by the Judge to a 2 months' imprisonment and double service in the army as a delinquent under the Law of Recruits and Substitutes, which should not have applied to deponent owing to his Peruvian nationality, a fact which was well known to the Chilean authorities, since his identification papers, furnished by these same authorities, mention the fact of his Peruvian nationality; that in addition to having been informed respecting his sentence, he also heard that he would be arrested and deported by force to some Chilean port, as had happened to so many young men of Peruvian nationality, in view of which he decided to leave the territory in Chilean occupation, which he, in fact, did, on the 26th of August last, taking passage on the steamer *Ortega* for Callao; that his family consists of his mother who has remained for the time being in Tacna; that it is true that the Chilean authorities have steadily deported young men of Peruvian nationality to points in Chile south of Arica, among whom he can mention the González brothers, a young man called Cornejo and another whose name he does not know, but who was nicknamed "Chololo"; that everybody in Tacna can testify to the truth of the above account, since it was well known at the time; that his present address is Chorrillos, Tarapacá Street, No. 7.

(Signed)	G. GUTIÉRREZ.
(Signed)	GALLAGHER Y CANAVAL.

In Lima, on the 15th of September, 1923, Juan José Vildoso appeared, and after being duly sworn testified that: He is 72 years of age, a farmer, married, born in Tacna and legally domiciled in the District of Pachia, of the Province of Tacna, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that the Chilean authorities endeavored to have him register in the Chilean Military Register on several occasions, but that deponent always refused; that on the 29th of December, 1919, he was summoned by the Sub-Leftenant Prado of the Lancers Regiment, to present himself in the Sub-Delegation of Pachia, and when deponent got there at 7 o'clock at night, the officer in question, who had under him 6 men, informed him that he would have to hand over the Peruvian flag which deponent had hoisted over his house on the 28th of July of that year, the national anniversary of Peruvian Independence, deponent being violently reprehended and termed an enemy of Chile on account of this action; that as deponent refused to hand over the flag, he was threatened with a hundred strokes with the lash, a punishment which, so it was asserted, had been decreed from headquarters, and it was only after many explanations and requests had been furnished to secure his release, that his petition was granted on condition that he should report next day in Tacna at the office of the Intendency; that upon complying with these orders and being brought before General Rojas Arancibia, who, at the time, was Provisional Intendente, he was ordered to leave the territory in occupation within 24 hours, and required at the same time to sign a statement to the effect that he was leaving voluntarily and for business reasons; that notwithstanding the violent threats made against him by General Rojas, he refused to sign this declaration, and as a steamer, bound for Callao, touched at Arica the following day, he went on board escorted by the police agent, Valderrama, in whose custody he had been placed; deponent adds that when he reached the Intendency, in obedience to the summons he had received, he found there Alejandro Garibaldi, the engineers Carlos and Roberto Valverde, and several other persons who had been summoned for the same purpose; that his family consists of his wife and 4 sons over age, who were likewise notified to leave the city 8 days after deponent had sailed, being threatened with expulsion by land at Sama, in case they failed to comply with these orders; that upon being confronted with this



alternative they decided to take passage on the steamer *Peru* bound for Callao; that deponent owned one-fourth of the San José Plantation in Pachia, with its residential farm, and another house in the City of Tacna; that this property has been left totally uncared for up to date and naturally brings in no income to deponent, who has lost the returns on its value, which is estimated at 170,000 pesos; that he has suffered damage to the extent of 58,000 pesos and his income which was 3,500 pesos a month; that the Sub-Delegate, José Tomas Zuñiga, and the Intendente Edwards, several times required of him a declaration respecting the propriety of Tacna and Arica remaining definitely in Chilean hands, deponent steadfastly refusing to comply with these requests; that the Chilean soldiery continually overrun the farms, as has frequently happened to deponent, for the purpose of appropriating the crops, the produce and even the cattle, having gone to the extent of tying up the owners, the better to carry out their designs, in proof of which a photograph is submitted which he was able to take in one of the farms at Piedras Blancas; that the irrigation water is appropriated by the Chilean authorities to the natural detriment of the farmers of the region; that witnesses to the above are Alejandro Garibaldi, Anibal Marchand, Guillermo MacLean, Dr. Emilio Valverde, the engineers, Carlos and Roberto Valverde and several others; that his present residence is Lima, Mercedarias Street, No. 1023.

(Signed) JUAN VILDOSO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 59

In Lima, September 18th, 1923, Alejandro Garibaldi appeared, and after being duly sworn testified that: He is 68 years of age, a merchant, married, born in Lima and legally domiciled in Tacna where he has resided 44 years and in possession of his baptismal certificate; that in December, 1918, a police agent summoned him to appear before the Intendente of the Province, being ordered by that official to leave the territory in occupation by Chile that same day, and declined to even allow deponent a few days' grace in which to do so, and threatened him and his family in case he did not at once comply with the order of expulsion, whereupon deponent, knowing that the threats would be duly carried out, and that he would be exposed to the same persecution and ill-treatment which other Peruvians had experienced, he decided to leave Tacna by land, since he was not even allowed to await the arrival

at Arica, of some steamer on which he might have taken passage; that the order of expulsion was given him personally by General Rojas Arancibia, who likewise, was the author of the threats mentioned above; that his family consists of his wife and 7 children, all under age, who are at present in Lima; that deponent is the owner of several pieces of real estate which have been entrusted to a representative, and whose value is at least 500,000 pesos; that in view of the value of his holdings, and the returns from his business, the damage he has suffered is much more than 300,000 pesos, as well as his earnings which were 30,000 pesos a month; that Peruvian citizens, as is well known, are not granted any guarantees of safety which other residents in those territories are accorded; that the truth of deponent's testimony is publicly known in Tacna; that his present address is Lima, Granados Street, No. 824. Deponent likewise wishes to state that General Rojas Arancibia compelled him under duress to sign a document to the effect that he was leaving of his own free will.

(Signed) \_\_\_\_\_ GALLAGHER Y CANAVAL.

AFFIDAVIT No. 60

In Lima, October 2nd, 1923, Juan Diez Albarracín appeared, and after being duly sworn testified that: He is 48 years of age, a merchant, married, born in Tacna which is his legal residence and where he has resided all his life; inscribed in the Military Register of Peru and his marriage in the Civil Register of the Province; that in the month of December, 1918, he was verbally notified by the President of the Chilean Patriotic League, Sr. Sanhuesa, to evacuate the territory in occupation by Chile within 24 hours, and that, being fearful of the Chilean threats and knowing that he would be exposed to the same persecution suffered by other fellow-citizens, he took passage on the steamer *Cachapoal*, and sailed for Callao on the required date; that his family consists of his wife and 9 children, 5 boys and 4 girls, of whom 8 are under age, all of whom accompanied deponent on his expulsion; that he owns 12 pieces of real estate in Tacna which are valued at 100,000 pesos, and he attaches hereto the receipts given on this property for the taxes paid to the Municipal Treasury of Tacna; that he estimates his losses to be 50,000 pesos, and his earnings which were 600 pesos a month; that everything he has declared herein is publicly well known in the city; that his present address is Lima, Belen Street, No. 1028.

(Signed) JUAN DIEZ A.

(Signed) GALLAGHER Y CANAVAL.



### AFFIDAVIT No. 61

In Lima, October 6, 1923, Juan José Vidal appeared, and after being duly sworn testified that: He is 47 years of age, married, a clerk, born in Tacna and legally domiciled in Arica; that in the month of January, 1919, he was notified by the Chilean Patriotic League to leave the country, and as he could secure no employment owing to his Peruvian nationality, and was furthermore persecuted in various ways—his house and the theatre which he owned having been attacked during one of the performances causing a serious disturbance thereby, the mob, desiring to set fire to the establishment—he was compelled to leave Arica which he did on the 12th of February of that same year; that his family consists of his wife and 5 children at that time under age, all of whom accompanied deponent with the exception of his eldest son who had previously been expelled by General Rojas Arancibia because he was caught taking photographs of some of the houses which had been wrecked by the Chilean mobs; that deponent owned no real estate but was engaged in different business transactions, among others the theatre which brought him in 3,000 pesos a month; that he estimates his losses at least in 60,000 pesos, and the income from his other businesses which brought him in from 4,000 to 5,000 pesos a month; that he had frequently been approached so as to secure declarations respecting the advisability of the provinces remaining definitely under Chilean dominion; that his present address is Lima, Carabaya Street, No. 1159.

(Signed)

JUAN JOSÉ VIDAL.

(Signed)

GALLAGHER Y CANAVAL.

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### AFFIDAVIT No. 62

In Lima, October 10, 1923, Juan Ceferino Rios appeared, and after being duly sworn testified that: He is 36 years of age, a farmer, unmarried, born in the Valley of Alto Ramirez, a district of Arica which is his legal domicile; that in the month of June of this year, he was verbally notified by Luis Quiroz to leave the territory in occupation by Chile, and informed that a commission, composed of Chilean authorities, were taking up the case and that, being fearful of the threats directed against and the persecutions suffered by himself and other Peruvians, he decided to leave together with a brother and a nephew, going by land up to Ilo, whence he found a steamer *Ucayali* which conducted him to Callao; that his family consists of 5 children under age whom he brought subsequently to

Ilo; that he owns a portion of a farm situated in the Valley of Azapa, assessed at 5,000 pesos, which is at present rented; that his losses include his earnings which were 250 pesos a month and his business; that it is true that the Chileans have consistently deported young Peruvian citizens to various parts of Chile, among others Aurelio Osorio, Alejandro Rosas, Arturo Sansoro, José Rivadeneyra, Abdon Romero, all of them residents of his district; that Peruvian citizens are ceaselessly persecuted, bands of Chileans invading their homes, seizing them and flogging them mercilessly at all hours of the night; that witnesses to the above are Manuel Santana and all the inhabitants of his district; that his present address is Callao, Marco Polo Street No. 62.

(Signed) JUAN C. RIOS.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 63

In Lima, October 10, 1923, Manuel A. Espejo Vildoso appeared, and after being duly sworn testified that: He is 23 years of age, unmarried, a merchant, born in Pachía, Province of Tacna and legally domiciled in Pachía where he has resided all his life; that on the 15th of September, 1923, a police agent informed him that the Prefect of Tacna, Enrique Vargas, wished to see him, and upon presenting himself before this official, he was notified that he would have to evacuate the territory in Chilean occupation within 11 days, owing to which he was compelled to leave for Lima on the 26th of September; that he owns a farm and a house in Pachía worth 2,500 pesos; that the damage suffered by him consists in having been compelled to suddenly leave the place where he was engaged in business with the natural losses inherent thereto; as well as his income which was 200 pesos a month; that it is true that the Chilean authorities have steadily deported Peruvian citizens to points south of Arica, the greater portion of the deportees hailing from the valleys of Azapa and Lluta; that Peruvian citizens are persecuted by the authorities and prevented from exercising their trades, withdrawing from them every guarantee of safety, a fact which is publicly well known to all the residents of the district of Pachía; that his present address is Lima, Mercedarias Street, No. 1023.

(Signed) MANUEL A. ESPEJO VILDOSO.

(Signed) GALLAGHER Y CANAVAL.



AFFIDAVIT No. 64

In Lima, on October 11, 1923, Juan José Pomareda appeared, and after being duly sworn testified that: He is 40 years of age, a clerk, unmarried, born in Tacna, legally domiciled in the City of Tacna, inscribed in the Civil Register of the province and in the Peruvian Military Register; that the Chilean authorities endeavored to compel him to register in the Chilean Military Register but that he refused; that in the month of June, 1918, a police agent notified him to appear before the Prefect of Police, and upon appearing before this official, he was informed that he would have to leave the territory in Chilean occupation within ten days, and was threatened with serious persecution in case he did not carry out this order, nevertheless the time limit allowed him was not permitted to expire, for deponent was taken prisoner at the end of 8 days and brought to police headquarters where he was confined for 2 hours, taken to the railroad and sent to Arica where he was put on board the steamer *Quilpué* which left that same day for Callao; that the agent who summoned him was a man named Donoso, and the Prefect who expelled him was Sr. Herrera, while the agents who apprehended him and placed him on board were the same Donoso and another called Lauquen; that he owns a piece of real estate in the City of Tacna assessed at 50,000 pesos, and which is at present rented; that his losses are at least 1,000 pesos and his earnings which were 500 pesos a month; that the Chilean authorities frequently suggested the advisability of a declaration by deponent respecting the advantages which would accrue to the provinces by remaining definitely in the possession of Chile, but that he always declined to give any such expression of opinion; that a specific instance of the deportation of Peruvian citizens by Chile is that of a young man called Valenzuela of Tacna; that Peruvian citizens are unceasingly persecuted, being obstructed in the pursuit of their trades, while every avenue of employment is closed to them, owing to the orders issued by the Chilean authorities to all business firms, both alien and domestic, not to employ citizens of Peruvian nationality; that witnesses to the above can be found in all the deportees from Tacna who are at present in Lima; that his present address is Lima, Condesa Street, No. 153.

(Signed)

JUAN JOSÉ POMAREDA.

(Signed)

GALLAGHER Y CANAVAL.

#### AFFIDAVIT No. 65

In Lima, October 11, 1923, Benigno E. García appeared, and after being duly sworn testified that he is 50 years of age, a merchant, married, born in Arica which is his legal residence and where he has resided practically all his life, in possession of his baptismal certificate, his marriage inscribed in the Civil Register of the province, and himself inscribed in the Military Register of Peru; that on the 6th of December, 1922, a police agent notified him in the name of the Prefect of the province, that he would have to leave Arica and the territory in Chilean occupation that same day, owing to which deponent was compelled to take passage for Callao on the steamer *Cachapoal*, which sailed 3 days later; that his family consists of his wife and 2 orphan nieces, who have remained in Arica; that he owns 2 houses in Arica assessed at 25,000 and 20,000 pesos respectively, as well as 2 others in Tacna assessed at 4,000 and 2,000 pesos each, all of which are rented, while deponent likewise owned a bakery; that his damages are at least 10,000 pesos, and his earnings which were 2,000 pesos a month; that it is true that the Chilean authorities have consistently deported Peruvian citizens to points south of Arica; that the denizens of the provinces are persecuted in every way, the opportunity to work being denied them; they are ceaselessly harried so as to compel them to effect their military service in the Chilean army, they are assaulted in the public thoroughfares and every guarantee of safety withdrawn from them by the authorities; that his present address is Lima, Angaraes Street, No. 480.

(Signed) B. E. GARCÍA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 66

In Lima, October 11, 1923, Víctor Flores appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a farmer, born in Tacna, legally domiciled in Pocollay, province of Tacna, inscribed in the Civil Register of Tacna and in the Peruvian Military Register; that the Chilean authorities endeavored to compel him to register in the Chilean Military Register but that he refused; that towards the middle of the month of May, 1923, he was notified by the Commissioner, Sr. Vargas, to present himself for conscription in the Chilean army, garrisoned in Tacna; that deponent declined, owing to his Peruvian nationality, where-



upon the Commissioner gave him 10 days within which to evacuate the City of Tacna; that at the same time he received a notification from the Chilean Patriotic League threatening him, as well as the members of his family, with serious personal injury unless he carried out the order of evacuation, since he refused to become a Chilean citizen; that deponent, therefore, took passage on the first steamer which touched at Arica, in company with Guillermo and Alberto Basadre, who were likewise expelled; that his family consists of his parents and 7 brothers under age, who have all remained in Tacna; that it is a well known fact that Peruvian citizens are persecuted in various ways, being prevented from exercising their trades, while the Chilean soldiers of the Garrison invade the farms which are all, most all of them, owned by Peruvian citizens, forcibly taking possession of the crops and destroying the harvest; that witnesses to the above are Domingo Morales, Luis Cohaila, Juan Condore and practically all those who have been recently expelled; that his present address is Lima, Portal de Escribanos Street, No. 320.

(Signed)

VICTOR FLORES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 67

In Lima, October 16, 1923, Enrique Loero Solís appeared, and after being duly sworn testified that: He is 42 years of age, unmarried, born in the Province of Jauja, a cook by occupation, legally domiciled in the Port of Arica and inscribed in the Military Register of Peru; that the Chilean authorities endeavored to compel him to register in the Chilean Military Register but that he refused; that on the 22nd of April, 1923, he was notified by the Chief of the Secret Service of Arica, in the name of the Governor, Leon Bustos, to leave the territory in occupation by Chile within 2 days because of his Peruvian nationality, and required, in addition, that he sign a declaration to the effect that he was leaving voluntarily; that upon deponent declining to do this, he was reminded that all other Peruvians had signed letters to this effect, and that his refusal would imply the withdrawal of all guarantees of safety for his person; that owing to these threats, deponent finally consented to sign this declaration, leaving four days later for La Paz on the railroad from Arica, having been compelled to secure the necessary funds for the purpose from his father, who remitted them by means of a telegraphic money order; that the damage suffered by him amounts to the loss of his posi-

tion which brought him in 150 pesos a month; that the order of evacuation was verbally given to deponent by the Governor, Leon Bustos, together with the Prefect of Police, Drago, who endeavored to exact from him the declaration that the Peruvian citizens in Arica enjoyed every guarantee of safety, and that deponent would vote in favor of Chile in case of a plebiscite, and provided he were granted Chilean citizenship, all of which, however, deponent refused to sign, having in consequence, received the order of expulsion in the manner mentioned above; that Peruvian citizens are continually assaulted for no just cause, with the consent of the police authorities, the attacks being organized by the Chilean Patriotic League and directed by the Governor; that witnesses to the above are José Gamarra, Pablo Jiménez and in general, all the Peruvian deportees; that his present address is Lima, San Ildefonso Street, No. 128.

(Signed) ENRIQUE LOERO SOLIS.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 68

In Lima, October 18, 1923, Teodoro Bustíos appeared, and after being duly sworn testified that: He is 30 years of age, married, born in Tacna, a mechanic by trade, legally domiciled in the City of Tacna where he has resided continuously from his birth to his expulsion, inscribed in the Civil Register of the Province and also in the Chilean Military Register under compulsion, notwithstanding his protest, owing to his Peruvian nationality; that at the beginning of March, 1923, he was notified by the police agent, Valderrama, to present himself for conscription in the Chilean army, owing to the fact that he was inscribed in the Register, and on deponent alleging his Peruvian nationality, he was summoned before the Prefect of Police and was given the option of either serving in the army of Chile or at once evacuating the territory; that confronted by this alternative, deponent preferred to leave Tacna and therefore undertook his journey to the capital; that his family consists of his wife, his parents and one son under age, all of whom, since deponent's expulsion, have suffered countless acts of persecution, to such an extent that they, likewise, decided to leave the territory during the first days of this month, and have taken refuge in the Port of Ilo, where they now are; that deponent worked a farm in Tacna belonging to his mother, and that the damage suffered by him consists of the loss of the



results of his enterprise which brought him in 300 pesos a month; that about 3 years ago when he happened to be carrying out some work on the railroad from Arica to La Paz, a commission, presided by a Sr. Rojas, in the name of the Governor of the Port of Arica, compelled him to sign a declaration to the effect that he was in the enjoyment of full guarantees, owing to the advantages derived from the Chilean administration, and that it was to the best interests of the provinces of Tacna and Arica that they should definitely remain under Chilean dominion, a measure which would meet with deponent's approval; that although he declined to sign such a declaration, so logically contrary to his feelings as a Peruvian citizen, he was threatened with the loss of his employment and with expulsion from the territories, so that he eventually complied; that at the time, several other Peruvians were likewise compelled to sign declarations of this nature through fear of added persecution, and eventual expulsion; that it is true that the Chilean authorities have expelled great numbers of the Peruvian youth to the Province of Coquimbo, deponent having personally witnessed the recruiting thereof, in the Valleys of Lluta, Azapa, Tinama, Belén, and Putre; that deponent cannot give the names of all these persons because, at the time, he happened to be merely passing through the localities above mentioned, though the parents of the conscripted men were loud in their complaints that, notwithstanding the Peruvian nationality of themselves and their sons, the Chilean authorities should thus have conscripted them by force; that the soldiers of the Chilean Garrison continually penetrate in the farms which are almost all exclusively owned by Peruvians, forcibly abstracting their produce and even their cattle, while the farmers, themselves, are additionally persecuted by having the necessary water for the irrigation of their crops withheld from them so as to water the lands which are cultivated for the Lancers Regiment, the Carbineers and several public officials who are all openly protected by the authorities; that the farmers who have to use the waters of the Caplina and Uchusuma rivers which irrigate the districts around Tacna, and notwithstanding that these are almost wholly of Peruvian nationality, are compelled to appoint as Water Delegates and Judges, Chilean citizens and public officials; that witnesses to the above are José Caceres, Jacinto Yufra, Justo Marin and almost all the inhabitants of Tacna; that his present address is Callao, Ayacucho St., No. 17.

(Signed) T. BUSTIOS.

(Signed) GALLAGHER Y CANAVAL.

AFFIDAVIT No. 69

In Lima, October 18, 1923, Alejandro Rodríguez appeared, and after being duly sworn testified that: He is 37 years of age, a farmer, married, born in Tacna, legally domiciled in the City of Tacna and inscribed in the Military Register of Peru; that in June, 1923, he was summoned to appear before the Judge of the Primary Court, Sr. Caro, who informed him that he would have to inscribe himself in the Military Register of Chile, and as deponent protested that he could not do this, owing to his Peruvian nationality, the Magistrate, without even listening to deponent's protest, drafted a declaration and exacted deponent's signature thereto without its contents having been read to him, and this deponent was compelled to sign; that several days later a police agent summoned him to appear once more before the same Judge to hear the sentence which condemned him to imprisonment and double service in the Chilean army as a delinquent under the Law of Recruits and Substitutes, and that fearful of the consequences of this sentence, deponent hid in the surrounding countryside, and on learning that the police were actively searching for him, he decided to leave the territory in Chilean occupation via the Port of Arica; that his family consists of his wife and 5 children under age, who will all be obliged to leave Tacna very shortly, owing to deponent's departure; that the damages suffered by deponent consist in the loss of his business and his earnings which were 400 pesos a month; that it is true that the Chilean authorities have steadily deported Peruvian citizens, a circumstance frequently noted by deponent when passing by the Barracks or the railroad from Arica to Tacna, where at any time, groups of Peruvian youth could be seen guarded by Chilean soldiers, the fathers and mothers of the men vainly endeavoring to secure their release by their entreaties addressed to the commanding officers; that the soldiers of the Garrison continually molest the farmers of the outlying districts by overrunning their property, especially on Sundays and feast days, arbitrarily taking possession of the fruits of their labors, while the civilian and administrative portion of the Chilean residents appropriate, for their own advantage, the waters which should belong to these farmers, a fact which is well known to deponent, as he is, himself, a farmer; that witnesses to the above are Julio Herrera, Vidal Yufra, Liendo and in general, all the inhabitants of Tacna; that his present address is Lima, Cruces Street, No. 326, Room No. 9.

(Signed)

ALEJANDRO RODRÍGUEZ.

(Signed)

GALLAGHER Y CANAVAL.



#### AFFIDAVIT No. 70

In Lima, October 20, 1923, Luis Basadre appeared, and after being duly sworn testified that: He is 27 years of age, a clerk, married, born in Tacna which is his legal domicile and where he has resided all his life, inscribed in the Civil Register of the province and in the Military Register of Peru, as well as in that of Chile; that in 1911, upon being actively sought by the Chilean authorities for the purpose of compelling him to effect his military service in the Chilean army, he decided to escape the territories in Chilean occupation, together with 3 other young men of Peruvian nationality; that his family consists of his wife and 3 children, under age; that he owns a house in Tacna assessed at 10,000 pesos, which is at present rented; that upon his flight being known, his house was invaded and looted of its contents by a Chilean mob which was allowed by the police authorities to commit this outrage unmolested; that his losses include, in addition to the damage suffered, 400 pesos a month, which was the amount of his salary; that it is true that the Chilean authorities have systematically, and for some time, expelled considerable numbers of Peruvian youth to points in Chile, south of Arica; that one of the most constant sources of persecution consists in the attacks organized by the Chilean Patriotic League, the outrages of which are, by now, publicly well known by everybody, even outside the territories in occupation; that his present address is Lima, Copacabana Street, No. 549.

(Signed)

LUIS A. BASADRE.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 71

In Lima, October 22, 1923, Armando Vignolo Revelli appeared, and after being duly sworn testified that: He is 31 years of age, married, a mechanic by trade, born in the district of Pocollay, Province of Tacna, and legally domiciled in the City of Tacna where he has resided all his life; inscribed in the Civil Register of the province and in the Military Register of Peru; that he was not specifically expelled from the City of Tacna, though he was, indirectly, compelled to leave at the beginning of 1919, owing to the continual molestation and cruel persecution inflicted upon the Peruvian residents by the Chilean authorities, which prevent anyone of Peruvian nationality from securing employment by

the orders issued to the alien and domestic business firms to dismiss their Peruvian employees and to give no work to anyone of Peruvian nationality; that deponent was one of the victims affected by these orders, since he diligently sought for work of any kind for 7 long months, and although he was not a common laborer, but a mechanic, especially proficient in the repair and handling of Diesel motors, which are largely employed by the manufacturers of the region, he was unable to secure any position; that his family consists of his wife and 2 children under age, who were compelled to leave with deponent; that the damage suffered by deponent consists in the forcible abandonment of a locality where he was well known, with a consequent loss of his chances of earning a living at his trade which brought him in 300 pesos a month; that the persecution instituted and organized by the Chilean authorities and the members of the Patriotic League consists in every form of persecution directed against Peruvian citizens, who are not allowed to work at their trades, are abused and assaulted in the public thoroughfares, are pursued for service in the Chilean army and are exposed to the raiding and looting, at any moment, of their homes and places of business by the mobs of rough characters who are openly protected and even abetted by the authorities; that all the foregoing is well known, not only in the territories in occupation, but in general, throughout South America; that his present address is Lima, Huailas Street, No. 590.

(Signed) ARMANDO VIGNOLO R.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 72

In Lima, October 23, 1923, Federico Palza appeared, and after being duly sworn testified that: He is 30 years of age, a painter by trade, married, born in the City of Tacna which is his legal residence and where he has resided all his life, inscribed in the Civil Register of the province and in the Military Register of Peru; that in 1915, when working at his trade, as it happened, in the house of the First Chilean Authority, Sr. Eduardo Orrego—Ovalle, Intendente of the province, this official asked him what his nationality was, and upon replying that he was a Peruvian citizen, this gentleman informed him that he did not want any Peruvian working in his house and that he would send him to the regiment; that fearful of the consequences of the threat made by the Inten-



dente, he hastened to make the necessary preparations for his departure and left, together with his family, for Callao a few days after the incident related above; that his family consists of his wife and 4 children under age; that his earnings were 50 pesos a month; that Peruvians are persecuted in every possible way, work being denied them, employment refused, upon orders from the authorities, in all the business houses in the city, while they are kept in a state of painful and continuous suspense by means of the activities of the members of the Patriotic League who cause crosses to be painted on the doors of their residences, indicative of a forthcoming attack; that witnesses to the above are Pedro Fernandez, Eudoro and Pedro Siles, and in fact, all the residents of Tacna; that his present address is Lima, Salina Street, No. 235.

(Signed) FEDERICO PALZA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 73

In Lima, October 23, 1923, Alberto Rojas Maldonado appeared, and after being duly sworn testified that: He is 33 years of age, a painter by trade, unmarried, born in Tacna which is his legal residence and where he has resided all his life excepting one year, when he was effecting his military service in Lima at the Chorrillos Military School; that upon being taken prisoner and taken to the Rancagua Regiment, he was asked whether he had effected his military service in the Chilean army, deponent replying that he had not done so on account of his Peruvian nationality, but that he had effected this service in the army of his own country; he was thereupon confined 2 days in the Barracks and taken thence to police headquarters and 24 hours later, brought back again to the Rancagua Regiment Barracks, where he was set upon by the soldiers and most cruelly beaten before being set free, on condition that he would leave that same day for the Peruvian frontier; that as deponent was in no condition to leave Tacna that day, he went into hiding and was ten days recovering from the effects of the assault, and as soon as he got better he took ship for Callao, the events above narrated having occurred in the month of November of 1919; that deponent has a sister dependent upon him and his mother, the former with him in Lima, and the latter still in Tacna; that his damages consist in the loss of his employment which brought him in 150 pesos a month; that Peruvians are continually harassed to compel them to serve in

the Chilean army, while their lives are in continual danger through the withdrawal of all guarantees of personal safety; that all the neighborhood of Tacna can testify to the accuracy of the above deposition; that his present residence is Lima, Tayacaja Street, No. 341.

(Signed)

ALBERTO ROJAS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 74

In Lima, October 23, 1923, Nicanor Jarrin appeared, and after being duly sworn testified that: He is 33 years of age, a clerk by occupation, married, born in Tacna which is his legal residence and where he has resided all his life; that upon being informed by the police agent, Barahona, that the Chilean authorities had him down as an enemy of Chile, he at once communicated this information to his employer, the manager of the Arica-Tacna Railroad, Mr. Clarence Elliot, who, at the same time, was British Consul; that, not having been able to secure any guarantees of safety, and fearful of the consequences to his person, owing to the temper of the Chilean authorities, he decided to leave Tacna, which he, in fact, did, on the 11th of October, 1920; that his family consists of his wife and a brother-in-law under age who left Tacna with deponent; that one of the chief methods of persecution adopted by Chilean authorities against Peruvian citizens, consists in preventing them from working at their trades or securing employment at any time; that the particulars of this testimony are well known in the neighborhood of Tacna; that his present address is Magdalena Vieja, San Martin Street, No. 5.

(Signed)

NICANOR JARRIN.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 75

In Lima, October 24, 1923, Victor Zubieta appeared, and after being duly sworn testified that: He is 36 years of age, married, a clerk by occupation, born in Tacna which is his legal residence and where he has resided all his life and inscribed in the Civil Register of the province; that in the month of April, 1923, he was at last compelled to leave Tacna because life had become unbearable for him, as it has for anybody of Peruvian nationality, owing to the daily threats, the insults and the persecutions of all kinds heaped



upon them by the Chilean portion of the population, which acts unrestrainedly in this manner, since it knows that it is protected and shielded by the Chilean authorities and furthermore, that Peruvians are practically pariahs who enjoy no guarantees of any kind for their personal safety; that his family consists of his wife and 7 children under age who are still in Tacna; that the damage suffered by deponent, in addition to other circumstances which are self-evident, consists in the loss of his employment and his salary which was 200 pesos a month; that his present address is Lima, Twentieth of September Street, No. 657.

(Signed) VICTOR ZUBIETA.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 76

In Lima, October 24, 1923, Pedro P. Pescetto appeared, and after being duly sworn testified that: He is 61 years of age, married, a merchant, born in Arica which is his legal domicile, his marriage inscribed in the Civil Register of the province and himself in the Military Register of Peru; that at the end of December, 1918, he received a notification from the Patriotic League which desired him to leave Arica within 15 days, and threatening him with serious consequences in case he failed to comply with this order; that upon being notified he at once called upon Sr. Raiteri, President of the League, soliciting the revocation of this order on the ground of it being illegal and unfair, but all he was able to obtain was an extension of the time limit until the 23rd of January; that on the 17th of January, 1919, a police agent notified him in the name of the Prefect of Police, Captain Ursua Lavin, that he would have to take ship that same day, but as this contradicted the extension which he had obtained, he secured through the Dutch Consul, Mr. Guillermo Corssen, permission to remain in Arica until the 23rd; that that same day he was notified by police agent to again appear before Captain Ursua Lavin, who ratified the permission given to remain in Arica until the 23rd of January, on which day he was obliged to take ship and reached Callao 4 days later; that his family consists of his wife; that he owns city property in Arica valued at 40,000 pesos, as well as one-fourth of a plantation in the Valley of Azapa which is worth 60,000 pesos; that this valuation is by no means excessive but is rather under the real value of the property, because, though it is true that deponent's father acquired this property in 1884 at a very reduced figure,

this was due to the fact that, when it was purchased the war had just ended, but as time went on, the population increased as a natural consequence; and also due to the return to their homes of many denizens of Tacna and Arica, after the said War, which naturally increased the value of property in the territory, especially during the years from 1890 to 1896; that the damage suffered by deponent consists in the loss of his business and his share in the firm of "Manuel Yanulaque"; that his earnings were 250 pesos a month, and his share in the profits of the firm above mentioned, was 10%, which brought him in at least a 1,000 pesos a month; that the forms of persecution adopted by the Chilean authorities consist in the notifications issued by these same authorities, and by the Patriotic League, to the alien and domestic business houses to dismiss their Peruvian employees and give no work to applicants of this nationality; in compelling Peruvian citizens to sign declarations testifying to the numerous advantages accruing both to the territories and to the inhabitants thereof through Chilean possession, and obliging them to deny the fact of the violent persecution of which they are, themselves, the victims; that witnesses to the above are all the Peruvian citizens who have recently been expelled from Tacna and Arica, as well as the aliens domiciled in the provinces, while, should the latter not testify to the veracity of these facts, it will undoubtedly be due to the fear they entertain of the reprisals which the Chilean authorities would undoubtedly exercise against them; deponent further testifies that the original notification of expulsion received by him, was deposited with the Minister of Foreign Affairs in Lima, and that his present address is Tarata Street, No. 251, in this city.

(Signed) PEDRO P. PES CETTO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 77

In Lima, October 24, 1923, Leonidas Calvo appeared, and after being duly sworn testified that: He is 28 years of age, married, a clerk by occupation, born in the District of Pocollay, Province of Tacna, legally domiciled in the City of Tacna, inscribed in the Civil Register of the province, compelled by the military authorities of Chile to register in the Chilean Military Register, and inscribed, as well, in the Military Register of Peru, having effected his military service in the latter country in 1913 and 1914, in the Military School of Chorrillos, in Battalion No. 23; that being



aware that he was being actively sought by the authorities for the purpose of effecting his military service in the Chilean army, to which he is not obliged, owing to his Peruvian nationality, he was compelled to flee from Tacna so as to escape the persecution of the Chilean authorities, a step which he took in the month of February, 1922; that his family consists of his wife and two children under age; that during the time he resided in Tacna, the hostilities directed against the Peruvian citizens consisted principally, of placing obstacles in their way to prevent them securing employment, and pursuing them for the purpose of obliging them to effect their military service in the Chilean army; that his present address is Lima, Huancavelica Street, No. 966.

(Signed) LEONIDAS CALVO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 78

In Lima, October 25, 1923, José Corro Albarracin, and after being duly sworn testified that: He is 43 years of age, unmarried, a clerk by occupation, born in Tacna and legally domiciled in the City of Tacna all his life until his expulsion; that the Chilean authorities endeavored to compel him to register in the Military Register of Chile but that he refused; that on the 19th of September, last, he was notified by police agents to appear before Secret Service Commissioner, Barahona, who required him, according to instructions from headquarters, to register in the Military Register of Chile so as to effect his service in the Chilean army, and upon deponent's refusal, he was arrested and subjected to every manner of indignity, being eventually able to secure his freedom upon subscribing a declaration presented him by the said Barahona, to the effect that Peruvian citizens in Tacna enjoyed every guarantee of safety and that deponent was leaving the city of his own free will, this declaration having been signed, due to the threats of personal violence which were made, not only against deponent himself, but against persons of his family; that in compliance with the 24-hour term of expulsion decreed against him, deponent proceeded to the Port of Arica where he took passage on a vessel for Callao; that his family consists of an aunt and 2 sisters who will shortly leave for Lima, since they are unable to endure any longer, the hostilities directed against them by the Chilean authorities; that he owns a house and a farm, while the damage suffered by him amounts to 700 pesos, and his

earnings which were 140 pesos a month; that deponent has personally witnessed during the last few months, the frequent rounding up of young Peruvian citizens, as recruits for the Chilean army, for the purpose of being sent to the Southern Provinces of Chile, but exactly where, deponent cannot state, since the destination of such deportees is usually surrounded by the utmost secrecy; that he knows of the specific instances of the young men named Jiron, Portales and Ibarra; that Peruvian citizens are insulted and abused in the public thoroughfares and are not allowed to go abroad after 6 P. M., and are usually obliged to go in hiding so as to avoid the attacks which the soldiers of the garrison, protected by the police, usually commit during the night; that the trade permits issued to Peruvian merchants are arbitrarily withdrawn from them, thus making it impossible for these people to carry on their occupations, while the proprietors, both alien and domestic, of business firms are notified by these same authorities to dismiss all employees of Peruvian nationality; that witnesses to the above are Jufra, Marin, Alberto Forero, and all the recent deportees; that his present address is Callao, Union Street, No. 220.

(Signed) JOSE C. CORRO A.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 79

In Lima, October 25, 1923, Emilio Valdez appeared, and after being duly sworn testified that: He is 35 years of age, married, a merchant, born in Tacna, legally domiciled in the Port of Arica up to January, 1912, and since then in the City of Corocoro, Republic of Bolivia, upon being compelled to leave Arica; in possession of his baptismal certificate and inscribed in the Military Register of Peru, having declined to register in the Military Register of Chile, although the authorities endeavored to compel him to do so; that in December, 1911, a proclamation was issued in Arica, calling to arms, and requiring the inscription of, all the denizens of the Provinces of Tacna and Arica under penalty of the rigor of the law in case of disobedience; that owing to this Proclamation, widespread uneasiness, and even terror, was awakened in all the denizens who were, almost all of them, of Peruvian nationality; that deponent was then able to personally note the various measures of persecution and arbitrariness which then took place and which were responsible for the emigration of those whom it was desired to compel to effect their military



service in the Chilean army, while as far as deponent was concerned, who was at the time manager of the business firm of Valenzuela and Company, he was informed that if he consented to register in the Military Register of Chile, any excuse which he might present to avoid effecting his military service would be acceptable, and he might continue in the employ of the firm which he was then managing; but as deponent considered such an action incompatible with his Peruvian citizenship, he was compelled to resign from the position he held, and, owing to the revolting acts of violence which were then taking place in Arica, he left the territory and went to Bolivia where the same firm intrusted the management of their agency in Corocoro to him, on account of the good service which he had performed for them in the past; that in September, 1919, he proceeded to the Port of Arica for the purpose of visiting his mother, but upon his arrival he was arrested by agents of the Secret Police, who brought him to police headquarters and confined him in a cell from 10 that morning to 4 P. M., having secured his liberty solely through the guarantee given by a relative of deponent's, Carlos Letelier, a Chilean citizen, who was the manager for Messrs. Valenzuela in Arica, the house of this gentleman having been assigned to deponent as the place of his arrest and on condition that he would leave by the first train which left the port for the City of La Paz, which he, in fact, did on the following day; that the authorities which took part in his expulsion were the Prefect of Police and the Governor of the Department, Luis Arteaga; that his family consists of his mother, his wife and 3 children under age; that his mother was compelled to follow him upon being expelled, notwithstanding the serious condition of her health; that he owns some city property which is assessed at 6,000 pesos; that the chief persecution exercised against Peruvian citizens is the requirement that they register in the Military Register of Chile so as to compel them to effect their military service in the army of that country, a measure which, in 1912, was responsible for the emigration of hundreds of Peruvians, while in 1919, the attacks against Peruvians, both in their persons and in their business, produced the most widespread feeling of uneasiness and even terror, in all denizens of the provinces, who were kept in a state of perpetual suspense respecting the fact which might be in store for them and for their loved ones, a condition of insecurity and helplessness which was intensified on account of the principal aggressors being the very police and civil authorities to whom, under ordinary

circumstances, the people are accustomed to turn for protection and safeguard; that witnesses to the above are Pedro Pescetto, Raul Rey, Tomas Marquez, Juan Saona, Julio Forero and all the deportees who are, at present, in Lima. Deponent attaches to the present declaration the following documents and testimonials: A Declaration on official stationery of the Governorship of Arica, signed by the Governor, Luis Arteaga, which testifies that deponent has never furnished the authorities with any cause for complaint; another from the Judge of the Primary Court, Carlos E. Ibañez, testifying to the regard in which deponent is held and to the correct manner in which he has behaved while in charge of the interests of the firm of Valenzuela; another from the Mercantile Bank of Tacna to the same effect, and others from Customs House agents of Arica which speak of their high personal and commercial regard for the conduct of deponent during his residence in Arica; that his present address is Lima, Filipinas Street, No. 546.

(Signed) E. G. VALDEZ.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 80

In Lima, October 26, 1923, Juan Enrique Cerpa appeared, and after being duly sworn testified that: He is 48 years of age, an employee of the Judiciary, married, born in Tacna and legally domiciled in Tacna since his birth, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that on the 3rd of November, 1911, he was summoned to appear before the General Commandant, Vicente del Solar, who personally notified him that he would have to leave the territories in Chilean occupation within 24 hours, though he was able, after considerable difficulty, to secure an extension up to the 11th of that month upon which he was obliged to take passage, leaving his business interests uncared for, because, from the time when he was verbally notified by General del Solar respecting his expulsion, which, according to the actual words of the General, was to the interests of Chile, he was not allowed to attend the sessions of the Courts, nor even to apply to the notarial officers so as to sign the necessary powers-of-attorney for the transfer of his interests and of the affairs of the persons who employed him, so that, not only was deponent injured financially, but numbers of his clients as well; that his family consists of his mother, his wife, 5 children under age and a sister, all of whom remained in Tacna but who were compelled,



eventually, to follow deponent since they could not live apart from him; that deponent owned a little farm and also a little house with its usual appointments, all of which deponent was compelled to sacrifice, due to his hasty departure, while his real estate property is very poorly rented owing to the same reason; that his financial losses are at least £1,000 Peruvian currency besides the loss of his income which was £50 a month; that the above testimony is known by everyone in Tacna; that his present residence is Barranco, Sucre Street, No. 109. Deponent further testifies that, notwithstanding the hostility shown to him, and the refusal to allow him to settle his affairs, as he has mentioned above, he eventually succeeded in inducing a notary to visit him in his residence, for the purpose of drawing up a power-of-attorney in favor of Guillermo Schemmell, who, however, did not dare to make use of this document through fear of the Chilean authorities.

(Signed) J. ENRIQUE CERPA.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 81

In Lima, October 26, 1923, Victor Palomino Valdivia appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, a hairdresser by trade, born in Tacna which is his legal domicile and where he has resided all his life, and inscribed in the Civil Register of the provinces; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on the 26th of July, last, he was summoned by the Police Agent, Valderrama, to appear before Judge Caro, of the Primary Court of Tacna, to whom he declared that he was a Peruvian citizen, the son of Peruvian parents and that this being the case, he did not consider that he was obliged to serve in the Chilean army, and denying, notwithstanding the insistence of the Judge, that he was a Chilean citizen; that he was then informed that he would have to leave the territory within 20 days; that thereupon he was obliged to sign a declaration which had been drafted by the said official, but was not allowed to read the same; that upon the expiration of the 20-day term, and as deponent had not evacuated the city, the Police Commissioner, Vargas, had him forcibly put on board the first steamer which touched at Arica proceeding to Callao; that his family consists of his father and two brothers over age who are still in Tacna; that his losses amount to his earnings which were 120 pesos a month,

as well as his occupation; that it is true that the Chilean authorities consistently recruit young Peruvian citizens, especially from the outlying agricultural districts, for the purpose of deporting them to other Chilean provinces where they are made to serve in the Chilean army; that among other cases he remembers that of Francisco Fuster, because he belonged to the City of Tacna, while with regard to the others, he cannot personally testify, owing to the method of recruiting followed by the authorities, who arrest the men by night and take them, with great secrecy, to the Barracks of Tacna, where they are confined until the arrival of a vessel at Arica, on which they are put aboard for points unknown; that the stall-holders of the market place of Tacna, who were formerly of Peruvian nationality, have had their permits withdrawn and their places filled by persons of Chilean nationality who have been brought from the South for that very purpose, while the farmers of the surrounding district are compelled to supply them with the necessary produce at prices arbitrarily fixed by the authorities, irrespective of whether the producers lost by the transaction; that in addition, all merchants and manufacturers of Peruvian nationality are hampered in every way in their business, being compelled to dismiss all their Peruvian employees and substitute them by others of Chilean nationality, while all Peruvians are systematically molested and even assaulted when frequenting the public thoroughfares, with no distinction for sex or age; that witnesses to the above are Justo Marin, Enrique Guerra, Raul Diaz and Edmundo Saravia; that his present address is Callao, Puno Street, No. 60.

(Signed)

VICTOR PALOMINO V.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 82

In Lima, October 26, 1923, José Rosario Bustos y Castro appeared, and after being duly sworn testified that: He is 32 years of age, unmarried, a merchant, born in Tacna which is his legal residence and where he has resided all his life until his expulsion, inscribed in the Civil Register of the Province but not in the Military Register of Chile, although the authorities endeavored to have him register; that on the 25th of January, 1921, the Prefect of Police, Florentino Herrera, summoned him to his office and insisted, as a condition for allowing him to remain in the City of



Tacna, that he should take out Chilean citizenship papers; that as deponent refused to comply with this demand, he was notified that he would have to leave the province within 24 hours, failing which he would be arrested and imprisoned; that as a consequence of his supplications, he was allowed an extension of 10 days which were, however, insufficient to effect the necessary arrangements for the safeguarding of deponent's business interests which were left uncared for; that as a steamer touched at Arica on the 4th of February, he proceeded thereto, together with Luis Dubayle, Fortunato Alarco, and Francisco Gomez who had likewise been notified; that that same day, they called upon the American Consul in Arica to acquaint him with the facts of their expulsion, and were received by the Consul, who at the time was very busy and could not give them much attention, but who asked them to return two hours later which they were, however, unable to do as they were compelled to go aboard the steamer *Palena*, because they found it impossible to remain on land any longer in view of the dangers to which they were exposed; that his family consists of his mother and five brothers, one of whom is under age, and who have all been recently notified to leave the territory; that he is the owner of a house and besides, had money invested in a business, that the house is not rented and produces no income; that deponent estimates his losses to be 8,000 pesos and his income, which was 600 pesos a month; that the soldiers of the Chilean Garrison habitually molest and assault Peruvian citizens in the public thoroughfares because they know that such conduct will remain unpunished by the authorities, more especially, as these same authorities usually instigate such assaults; that they likewise invade the farms of the outlying districts and take possession of the crops; that the denizens of Tacna and Arica are kept in a state of perpetual uncertainty and apprehension as to their fate, never knowing when their sons may be apprehended for service in the Chilean army, or for the first step thereto, which is the compulsory registration in the Chilean Military Register; while the whole population has to exist as best it may with all guarantees of personal safety withdrawn from them; that witnesses to the above are Francisco Gomez, Alarco, Dubayle and Teofilo Salgado, as well as all the denizens of Tacna and Arica; that his present address is Lima, Cocharcas Street, No. 708, Rear 48.

(Signed)

JOSÉ R. BUSTOS.

(Signed)

GALLAGHER Y CANAVAL.

In Lima, October 27, 1923, Juan Auza appeared, and after being duly sworn testified that: He is 35 years of age, unmarried, a clerk by occupation, born in Tacna and legally domiciled in the City of Tacna from the time of his birth to his expulsion, inscribed in the Civil Register of the province but not in the Military Register of Chile, although the authorities endeavored to have him register; that during the last days of the month of January, 1919, the Prefect of Police of Tacna summoned him to his office and required him to register in the Chilean Military Register, and brushing aside the excuse submitted by deponent, to the effect that he was a Peruvian citizen, he was threatened with expulsion unless he complied with the Prefect's request, and as deponent had personally seen the violent manner in which the expulsions of his fellow-citizens had been carried into effect, in the absence of the slightest reason or provocation which would excuse such proceedings—for it was precisely during the first days of the same month that the Peruvian engineers, Roberto Valverde, Carlos Valverde and the lawyer, Carlos Tellez, had been confined in the Barracks and then conducted by soldiers during the night, and overland, to the Provisional Peruvian Frontier of Sama—deponent, made fearful by the threats he had received, and in view of the condition of affairs brought about by the want of every guarantee of safety, determined to emigrate from Tacna, proceeding to Bolivia by the Arica-La Paz Railroad; that his family consists of his parents and 9 brothers who, a year later, were compelled to leave the territory; that he estimates his losses to be 2,000 pesos, as well as his earnings which were 400 pesos a month; that the Chilean soldiers of the Garrison habitually overran the farms of the countryside, which practically all belonged to Peruvian citizens, for the purpose of taking possession of the produce thereof, secure in the connivance and assistance of the police authorities, usually committing every manner of abuse, attacking the men and violating the defenseless women; while in the city, noisy demonstrations were staged nightly, the soldiers and officers of the Garrison, the former in civilian attire and the latter in their uniforms, went through the city assaulting and beating up all Peruvians whom they might chance to meet; that all business firms, and especially the Bank of Tacna where deponent was employed, were notified to dismiss all their Peruvian employees, and to substitute them by Chileans, who were



arriving in large numbers from the South for that purpose, while the original denizens, finding life unbearable through such persecution, and having their varied means of livelihood withdrawn from them, were compelled to emigrate; that witnesses to the above are Julio Forero, Celestino Vargas, Guillermo MacLean and in general, all the residents in Tacna; that his present address is Lima, Santuario Street, No. 530.

(Signed)

JUAN AUZA.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 84

In Lima, October 29, 1923, Eduardo Jara Almonte V. appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, a clerk, by occupation, born in Tacna which is his legal domicile and where he has resided all his life, inscribed in the Civil Register of Tacna but not in the Military Register of Chile, although the Chilean authorities endeavored to compel him to do so; that on the 5th of September of this year he was summoned before the Court of Tacna where the Judge, Lamberto Caro, asked him why he had not registered in the Military Register to serve in the Chilean army, deponent replying that he did not consider that it was his duty to do so, owing to his Peruvian nationality, and that upon being desired to declare himself a Chilean citizen, the Judge drafted a declaration which was read to and signed by him; that several days later he was notified by the Clerk of the Court, Victor Montt Santana, respecting the sentence which condemned him as a delinquent under the Law of Recruits and Substitutes, to 2 years service in the Chilean army and 60 days' imprisonment, being condemned in costs, part of which he paid, and received a receipt therefor from the Clerk, a receipt which is attached to the present declaration; that having appealed against this sentence on the 10th of October, the Chief of the Secret Service, Manuel Barahona, raided deponent's home at 12 o'clock at night for the purpose of taking him prisoner, an arbitrary proceeding from which he was only saved by the intercession of his sister, and owing to the promise given that he would leave the city of Tacna the following day, which he, in fact, did, taking passage on the steamer *Imperial*, for the Peruvian Port of Ilo; that his family consists of his parents and 4 brothers over age, of whom the former and his sister are the only ones remaining in Tacna, the others having all been expelled by the Chilean authorities; that

deponent owns some city real estate in Tacna worth 3,500 pesos; that his losses amount to 8,000 pesos and his earnings which were 500 pesos a month; that it is true that the Chilean authorities have interned large numbers of Peruvian youths in the south of Chile, among whom are Wenceslao Zavala, José Quelopana, Carlos Molina, José Madueño, Leoncio Alais Vargas, Gonzalez, Rodriguez, Jufra, all residents of the City of Tacna, some apprehended in their homes, and others on the street in the most brutal fashion; that among the many persecutions suffered by Peruvians is the prohibition to do business with the valleys and highlands bounding on Peru, deponent having personally witnessed, during the first days of this month, the arrival of several muleteers bringing in merchandise from Sama, among them one named Alvarado, who were all dispossessed of their merchandise and taken to police headquarters, then conducted to the Port of Arica and shipped south as conscripts; that the farmers of Tacna are compelled to sell their produce to the owners of the stands in the market place, who are all now Chilean citizens, at prices which are arbitrarily fixed by an inspector who has been specially appointed so as to serve Chilean interests; that the letters, printed matter, and in general, every kind of correspondence which is addressed to Peruvian citizens, is violated in the Post Office of Tacna; that witnesses to the above are Gonzalo Gutierrez, Zenon Soto, Alberto Vargas, Adolfo Prado, and most of the aliens resident in Tacna such as Berganine, Métraud, Saba and many others; that his present address is Callao, Puno Street, No. 160; that a certificate from the Italian Consul in Tacna, Andres D. Laneri, is attached hereto, which proves the good conduct of deponent during his residence in the city, and proves how unjust are the methods adopted by the authorities when expelling law-abiding citizens.

(Signed) EDUARDO JARA ALMONTE V.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 85

In Lima, October 29, 1923, Julio Rejas Palza appeared, and after being duly sworn testified that: He is 21 years of age, a farmer, unmarried, born in Pachia, District of the Province of Tacna, legally domiciled in Pachia, inscribed in the Civil Register of the Province, but not in the Military Register of Chile, although the authorities endeavored to compel him to do so; that as deponent knew that the Chilean authorities were conscripting all young



Peruvian citizens to compel them to serve in the Chilean army, deponent steadfastly kept secluded within the plantation belonging to his father, but that notwithstanding this circumstance, on the 4th of October, a police agent called at deponent's home and summoned him to appear before Lieutenant Canales, for the purpose of being taken to Tacna, but that deponent managed to hide and was able to see, from his hiding place, the arrival of a truck in which the conscripted men were confined, deponent proceeding that same night in company with his brothers, Eudoro, Armando Vidal, Pedro Enrique and 17 other fellow-countrymen who were in the same condition as deponent, persecuted and in hiding, and started for the Provisional Frontier of Sama since neither he nor his brothers and companions were willing to serve in the Chilean army; that his family consists of his parents and 9 brothers, 2 under age, all his older brothers having been compelled to leave the territory, owing to the abuses and constant persecution of which they were the victims, his parents and his sisters being the only ones who have remained behind; that on that 4th of October when deponent was summoned but managed to hide, the authorities conscripted numbers of young men from his district, for the purpose of interning them in the Southern provinces of Chile, among these men being German Castro, Grimaldo Coaila, José Pio Torres, Vicente Marcos, Leopoldo Rospigliosi, all of them denizens of Pachia, who were seized in their homes and cruelly ill-treated, Modesto Rios having had to be taken to the hospital of Tacna, owing to the wounds which were inflicted upon him on that occasion by the authorities; that the Peruvian farmers continually have to suffer from the inroads of the Chilean soldiery to destroy their crops and take what they please; that the authorities assess, at their own discretion, the taxes which should be paid by these farmers, which are naturally always far in excess of those which the law stipulates, especially as applies to the construction and care of the highways, which does not prevent these authorities, in addition, from compelling the farmers to work on these highways with no compensation; while it is a well known fact that all the farmers are obliged to sell their produce at whatever price the inspector desires, for the greater benefit of the Chilean stallholders of the market, who have now, for the last year, completely replaced the former owners of these stands who were of Peruvian nationality; that witnesses to the above are his brothers and companions, severally mentioned above who accompanied him on his flight, and in general, all the inhabitants of the City of Tacna;

that his present address is Lima, Mercedarias Street, No. 1023. Deponent attaches hereto his identification card issued by the Chilean authorities.

(Signed)

JULIO REJAS PALZA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 86

In Lima, October 29, 1923, Guillermo MacLean appeared, and after being duly sworn testified that: He is 47 years of age, a widower, a merchant, born in Tacna, which is his legal domicile and where he has resided all his life, and inscribed in the Military Register of Peru; that in the month of December, 1918, after the celebration of the Armistice between the European nations who had been at war, a violent agitation took place in the Provinces of Tacna and Arica instigated by the Chilean authorities against the Peruvian denizens, which was further intensified against all those who were of any social or commercial prominence; that owing to this fact, deponent was frequently provoked and even insulted in the public streets by officers of the Chilean garrison, and once by the Intendente of the province himself, Fernando Edwards, receiving, as a consequence thereof, repeated notifications from the Secret Police to leave the territory, his every movement being then spied upon to such an extent that his further residence in Tacna became unbearable, owing to which he retired to his Tomasire Plantation, located on the Provisional Frontier of Sama, and from which he was unable to return, because by then the persecution against Peruvian citizens in Tacna had reached an incredible degree of violence; that his family consists of 5 children under age; that most of his business interests were located on the Provisional Frontier of Sama, but the center of his commercial activities naturally lay in Tacna, which accounted for the fact that he resided alternately in the City of Tacna and at Sama; that the damages he had suffered amount to 8,000 pesos, while his income was 1,500 pesos a month; that all business transactions between the valleys of the hills bounding on Peru are impeded, the carriers of the produce from this latter country being arrested and severally ill-treated, besides being deprived of the merchandise they happen to be carrying, while in other cases, shipments effected by Peruvian citizens, or merchandise received by them, are arbitrarily taxed according to a scale which is not to be found in any of the laws on the subject; that letters and printed matter, and in general,



all the correspondence addressed to Peruvian citizens is violated; that public meetings are held by soldiers of the army and public officials for the purpose of provoking and assaulting Peruvian citizens with no distinction for age or sex, night time being usually selected for these aggressions, while on one of the occasions when these disorderly manifestations took place, with the consent of the police, the name plate and signs on all the offices and residences of professional men of Peruvian nationality were destroyed in the City of Tacna, an occurrence which took place in the month of November, 1918; that witnesses to the above are Julio Forero, Ricardo Basadre, Justo Marin, Emilio Valverde, and in general, all the Peruvian inhabitants of the City of Tacna; that his present address is Lima, Santa Teresa Street, No. 510. Deponent further testifies that: When he was obliged to take refuge on his Tomasire estate at Sama, he witnessed the arrival, during the first days of January, 1919, at about 6 or half past six in the morning at the Provisional Frontier of Sama, of the engineers, Carlos and Roberto Valverde, who were brought in by two officers and a soldier, belonging to the Chilean army, in uniform, who, upon leaving them by the river bank, returned towards Tacna, an occurrence which was likewise witnessed by all the employees and laborers of the estate, who, at that time, were engaged in their usual work; that a few days later, Dr. Carlos Tellez was brought to Tomasire in exactly the same fashion, deponent being able to accurately report on these facts, since his house is situated very near the River Sama, in that portion thereof where it meets the road to Tacna; while on the following days Srs. Alejandro Garibaldi, Manuel Sologuren and hundreds of Peruvians arrived at Tomasire from the City of Tacna, having either been expelled or who were being forcibly conducted to the Peruvian frontier.

(Signed) C. G. MACLEAN.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 87

In Lima, October 29, 1923, Pedro Enrique Rejas appeared, and after being duly sworn testified that: He is 23 years of age, a farmer, unmarried, born in Pachia, of the Province of Tacna, legally domiciled in Pachia, where he has resided since his birth, and inscribed in the Civil Register of the province; that the Chilean authorities endeavored to have him register in the Chilean Military Register, but that he refused; that on the 5th of Septem-



ber, last, the Police Corporal of the force stationed in Pachia, Miguel Cortez, notified him to appear before the Primary Court of Tacna, and that on his appearance before the Judge, Lamberto Caro, he was interrogated with regard to his status and asked why he had not registered in the Chilean Military Register, deponent replying that he had not done so on account of his Peruvian nationality; that the Judge, thereupon, drafted a statement which deponent signed, although the contents were unknown to him; that on the 30th of September last, an official of the Court notified him respecting the verdict which had been found against him as a delinquent under the Law of Recruits and Substitutes, and which sentenced him to 60 days' imprisonment, and to two years' service in the Chilean army, a copy of this sentence having been requested by deponent, but which was denied him; that deponent then appealed to the Court of Iquique, whereupon, on the 4th of this month, the same official, Cortez, at dawn, called at the residences of all the young Peruvians of Pachia and Calana, and summoned them to appear at the police stations of both towns, 2 trucks arriving from Tacna, a few hours later, so as to collect the conscripts and take them to Tacna for the purpose of interning them in the Southern provinces of Chile, among the men thus taken being German Castro, Grimaldo Coaila, Vincente Marcos, Pio Torres, Modesto Rios, Hipolito Rodrigues and Leopoldo Rospi-gliosi; that in view of these acts of violence and of the danger which threatened deponent, as well as others of his fellow-citizens who were in the same condition as himself, he decided, together with these, to leave his home and escape to the Peruvian Frontier of Sama, and at half-past nine that night, after having remained hidden during the day, they began their journey overland to Sama; that his family consists of his parents and 9 brothers, one of whom is under age, three of his brothers having been compelled to leave their home for the same reason as deponent, the others remaining in Pachia exposed to hostilities of every kind; that deponent had leased a farm from Felix Repetti, which he worked together with his brothers Eudoro and Armando Vidal, and in which they have invested 25,000 pesos in machinery, cattle and seed, all of which they were compelled to abandon from one day to another; that he estimates his losses to be 8,000 pesos as well as his earnings, which were 600 pesos a month; that he knows and can testify to the fact that in the City of Tacna and in the surrounding districts, young Peruvians are apprehended for the purpose of interning them to points south of Arica; that the



precise locality where these men are sent, deponent does not know, though public opinion is agreed that the place where they are sent is Coquimbo; that on the 29th of September he saw about 35 young men being taken in one of the police trucks to the Tacna and Arica Railroad Station, and he vividly remembers hearing the complaints of these deportees and their cheers for Peru when their captors wished to compel them to cheer for Chile; that the soldiers of the Garrison of Tacna, whenever they are off duty, overrun the farming districts and forcibly take possession of the fruit and produce, the same occurring whenever the military undertakes drills or excursions in these localities; that the authorities compel the farmers to work for nothing in the building and conservation of the roads, although heavy taxes for this purpose are, in addition, exacted from them; that they are likewise deprived of the necessary water for their crops for no other reason than that of persecuting them; that the carbineers, who are supposed to patrol and keep order in the country districts and roads, commit frequent aggressions against Peruvian citizens, so as to keep them in a constant state of terror and compel them to eventually become favorable to the cause of Chile; that among the abuses committed by these men, deponent can mention the murder of Juan Sanchez, a denizen of Pachia; that witnesses to the above are Esteban Velasquez, Carlos Valdez, Pedro Vildoso, Julio Rejas, Fernando Menendez, Manuel Espejo and Julio Camacho; that his present address is Lima, Mercedarias Street, No. 1023. Deponent attaches to this declaration his identification card issued by the Chilean authorities.

(Signed)

ENRIQUE P. REJAS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 88

In Lima, October 29, 1923, Hernando Menendez appeared, and after being duly sworn testified that: He is 18 years of age, unmarried, a farmer, born in Pachia, Province of Tacna, and legally domiciled in Pachia where he has resided since his birth, and inscribed in the Civil Register of the province; that being aware that the Chilean authorities were actively pursuing young Peruvian citizens for the purpose of taking them prisoners and deporting them to the south of Chile, and having had trustworthy information to the fact that deponent's name was on the list, and that he would be apprehended during the first days of October, he escaped

from Pachia on the night of the 4th of the present month; that as deponent lived at home with his parents and helped them in their work, he has suffered no personal material damages other than the violent separation from his family, and having to live in a city where he has no friends; that deponent's father furnished him with the necessary funds for his journey; that it is true that the Chilean authorities have taken many young Peruvians prisoners and deported them to places unknown because, from Pachia, where deponent resided, his friends Grimaldo Coaila, Modesto Rios, Hipolito Rodriguez, Pio Torres, Hector Rejas, and many others were apprehended and taken to Arica where they were shipped south; that Peruvian citizens are persecuted in every possible fashion, as is well known, while the veracity of the contents of this testimony can be vouched for by all the denizens of Pachia; that his present address is Lima, Mercedarias Street, No. 1023. Deponent attaches to this declaration his identification card issued by the Chilean authorities.

(Signed)

HERNANDO MENENDEZ.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 89

In Lima, October 29, 1923, Pedro Vildoso Masuelos appeared, and after being duly sworn testified that: He is 20 years of age, a farmer, unmarried, born in Pachia, Province of Tacna, which is his legal residence and where he has resided since his birth, inscribed in the Civil Register of the province and in the Chilean Military Register; that having been summoned to appear before the Court respecting the suit brought against him to compel service in the Chilean army, he appeared before the Judge and stated that, owing to his Peruvian nationality he did not consider himself liable for service, but his protest went unheeded and he was notified to present himself in the Barracks of the Rancagua Regiment in the month of November, so as to be incorporated therewith; that owing to this reason, and to his repugnance to serve in the Chilean army, he decided to leave the territories in Chilean occupation, a step he duly took on the 4th of the present month; that as deponent lived with his family and assisted his parents in their labors, he had suffered no personal damages of a pecuniary nature; that it is true that the Chilean authorities have deported young men from his district, since he remembers the cases of Claudio Gutierrez, German Castro, Pio Torres, Modesto Rios,



Hipólito Rodríguez, Vicente Marcos, Grimaldo Coaila, Mariano Condori, and many others whose names he does not, for the moment, remember; that Peruvian citizens are hostilized and persecuted in every way, especially with regard to effecting their military service; while all acts of aggression committed by the soldiery or the police authorities, always go unpunished, owing to the complete absence of all guarantees of safety as far as Peruvian citizens are concerned; that his present address is Lima, Mercedarias Street, No. 1023.

(Signed)

PEDRO VILDOSO M.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 90

In Lima, October 30, 1923, Juan Enrique Cerpa appeared, and after being duly sworn testified that: He is 24 years of age, a clerk, unmarried, born in Tacna which is his legal residence, inscribed in the Civil Register of the province and in the Military Register of Peru; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that during the first days of August, 1923, he appeared before the Primary Court in the City of Tacna, presided over by Lamberto Caro, who questioned him respecting his status, and the reasons for refusing to register and serve in the Chilean army; that 15 or 20 days later, an official of the Court notified him with regard to the verdict, which sentenced deponent as a delinquent under the Law of Recruits and Substitutes, and that deponent, to avoid being conscripted, decided to leave the City of Tacna, taking passage on the steamer *Aysen* on the 16th of August, last, having remained hidden for three days previous thereto in the Port of Arica, because he was being actively sought in the City of Tacna, an edict with regard to his delinquency having appeared in the Chilean publication, *El Pacífico*, of the City of Tacna; that his family consists of his parents and 3 brothers under age, his mother and 2 brothers having remained in Tacna, but owing to the persecution directed against them, will shortly be compelled to leave for Lima; that deponent has suffered the loss of his position which brought him in 300 pesos a month; that it is true that the Chilean authorities have interned large numbers of Peruvian youths in Coquimbo; that in the month of November, 1922, deponent personally witnessed the conscription, in the City of Tacna, of many Peruvians, who were quartered with the

Rancagua Regiment, some being violently taken from their homes and others arrested in the public streets, among whom he personally knows of Isaguirre; that Peruvian citizens are continually molested and assaulted in the public thoroughfares, arrested and confined at police headquarters for a short time, and then discharged, when they are again arrested and the whole process repeated time and time again so as to break down their resistance and eventually compel them, in sheer desperation, to abandon their homes and leave the country of their birth; that no business firm is able to employ Peruvians, so that there is no work for them to do of any kind, while even the owners of the market stands have been dispossessed and their places taken by men of Chilean nationality; that witnesses to the above are Justo Marin, Julio Forero, Raul Diaz, Enrique Guerra and many others; that his present residence is Lima, Panteoncito Street, No. 1439.

(Signed)	J. ENRIQUE CERPA FIGUEROA.
(Signed)	GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 91

In Lima, October 30, 1923, Roberto Vargas Pizarro appeared, and after being duly sworn testified that: He is 15 years of age, a farmer, unmarried, born in Pachia, Province of Tacna, where he has resided all his life, and inscribed in the Civil Register of the province; that on the 4th of the present month, police agents appeared in his mother's house for the purpose of arresting him and taking him to police headquarters, and as all Peruvians, over 14 years of age, were being actively sought, and as that same day several of these had been violently conscripted, he was compelled to go into hiding, and that very night, fearful of the consequences which the situation might bring about, and on the advice of his mother herself, he escaped, together with his uncle, Isidoro Pizarro, and his cousin, José Rosas Vildoso, and several other companions, in the direction of the Frontier of Sama; that the damage suffered by deponent consists in having been compelled to abandon his home and his mother, with whom he lived; that on the day when he was obliged to leave Pachia, many young men were taken therefrom to the City of Tacna, it being commonly said that they were going to be interned in Coquimbo; that among the young men then taken, he recognized Vicente Marcos, Manuel Calderon, Mariano Villamontes, David Chipana,



Felix Arana, all of them denizens of Pachia, who were severely ill-treated in the process of their arrest; that the only Chilean citizens in Pachia were the authorities and the soldiers of the army who, when they were in the villages or near farms, committed every manner of abuse, so that the whole neighborhood lived in a perpetual state of apprehension and terror; that witnesses to the above are José Gil Vargas, Pedro, Enrique and Julio Rejas, and all those who, together with deponent, were compelled to leave Pachia on that 4th of October; that his present address is Lima, Piura Street, No. 734.

(Signed)

ROBERTO VARGAS PIZARRO.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 92

In Lima, October 30, 1923, Manuel A. Barrios appeared, and after being duly sworn testified that: He is 48 years of age, a clerk by occupation, married, born in Arica, which is his legal domicile and where he has resided all his life until the date of his expulsion, and inscribed in the Military Register of Peru; that deponent was engaged in a vegetable and fruit business in Antofagasta, making trips to that port every 15 days from Arica, for the purpose of bringing his produce to this latter market; that on the 1st of January, 1919, when about to undertake one of these trips, two police agents, who stated they were acting on orders from their superiors, arrested him and took him by force to the steamer *Cachapoal*, on which he was obliged to journey to the Peruvian Port of Mollendo; that his family consists of his wife and 12 children under age, who were obliged to leave the Port of Arica two months later, owing to the persecution directed against them; that he owns a farm in the Valley of Azapa, Province of Arica, worth 10,000 pesos, and which is being looked after by a sister of deponent, owing to which fact it brings him in no returns; that deponent estimates his losses to be 30,000 pesos, owing to the loss of his business and his life insurance, the premiums of which he was unable to pay, owing to the financial straits to which he was reduced through his expulsion; that he has also lost his income which was 1,200 pesos a month; that Peruvian citizens are abused and assaulted in the public thoroughfares with no regard for sex or age, are arrested and taken to the police station without the slightest cause; that they are hampered in every way

in the pursuit of their business, to such an extent that many of them have been compelled to give up their occupations and emigrate; that witnesses to the above are Pedro Pescetto, José Carrasco, Cesar Tellez, and many others; that his present address is Lima, Conchucos Street, No. 303.

(Signed)

M. A. BARRIOS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 93

In Lima, October 30, 1923, Alejandro Valdivia appeared, and after being duly sworn testified that: He is 30 years of age, a farmer, married, born in Pocollay, of the Province of Tacna, legally domiciled in Pocollay, where he has resided all his life, and inscribed in the Civil Register of the province; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on the 1st of August, 1923, he was summoned before the Judge of the Primary Court of Tacna, Lamberto Caro, and interrogated as to why he was not registered in the Chilean Military Register, being admonished as to his duty to serve in the Chilean army, no regard being given to his protest respecting his Peruvian nationality, a statement being drafted by the Judge, which was not read to deponent, but which he was, nevertheless, compelled to sign; that about 20 days later, he was notified to the effect that he had been sentenced as a delinquent under the Law of Recruits and Substitutes to 60 days' imprisonment and 2 years' military service, 29 pesos being charged for the costs of the case; that deponent appealed against this verdict, and in this condition, and so as to escape the consequences which were impending, and being, in addition, unable any further to endure the hourly provocation and threats directed against him, as they were against all his fellow-countrymen, he preferred to leave his home on the 6th of this month, going overland to the Peruvian Frontier of Sama, and remaining in hiding from the Chilean authorities; that his family consists of his wife and 2 children under age, who are still in Tacna; that he is the owner of a farm which is worth 1,200 pesos, and he was the lessee of another which he likewise worked, both of which have been left uncared for; that it is true that the Chilean authorities have interned young Peruvian citizens to the south of Chile, and according to statements made by the Chileans of Tacna themselves, the point of internment is the Province of Coquimbo; that on several



occasions he saw bands of young recruits from the Districts of Calana, Pachia and Calientes pass through Pocollay escorted by police agents, protesting, meanwhile, against their arrest and declaring that they were Peruvian citizens; that the last occasion on which he witnessed such an occurrence was on the 4th or the 5th of the present month; that the farmers, who are almost all Peruvians, are deprived of their produce by the soldiers of the army, no account being taken of the complaints made by the victims to the superior officers of the regiments or to the police authorities, the only satisfaction they received was to be told "that they were living in conquered territory, and therefore, had no right to complain"; that these farmers have been obliged to appoint the Revenue Collector, Manuel Corbalon, a Chilean citizen as Water Delegate, as the authorities have forbidden any Peruvian to assume these functions, while the above-mentioned Corbalon disposed of the water as he thought fit, selling it and irrigating land, which he had acquired, with water which belonged to the Peruvian community; that witnesses to the above are Francisco Ale Ramos, Pedro Montes de Oca, Julio Loza, Alejandro Espejo, Isaac Loza, Humberto Albarracin and many others; that his present address is Callao, Piura Street, No. 155.

(Signed)

ALEJANDRO VALDIVIA.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 94

In Lima, October 31, 1923, Julio Loza Frias appeared, and after being duly sworn testified that: He is 31 years of age, a farmer, married, born in the City of Tacna and legally domiciled in the District of Pocollay where he has resided all his life, and inscribed in the Civil Register of the province; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on the 6th of July, 1923, he was summoned to appear in the Primary Court of Tacna to show cause why he was not inscribed in the Military Register of Chile, the Judge, Lamberto Caro, after having informed him that this was his duty, and that he would have to serve in the army, and refusing to entertain the reason alleged by deponent that, as a Peruvian citizen he was not required so to serve, drafted a statement which was presented to him for signature but not read to him; that 15 or 20 days later the court official named Montt,

appeared in deponent's home to notify him that he has been sentenced to 60 days' imprisonment and 2 years' military service, as well as to the amount of 30 pesos for costs which deponent paid, and immediately appealed against the sentence; that to avoid the consequences of the sentence, which he knew the Court of Iquique would pass, and which would assuredly confirm that of the Primary Court, and in view of the threats he had received and to the absence of all guarantees of safety, he was compelled to forsake the City of Tacna in company with his brother Isaac Loza and Ramon and Hector Vildoso, who was accompanied by a daughter, during the first days of the month of September, proceeding towards the Peruvian Frontier at Sama; that his family consists of his wife, his mother-in-law and a granddaughter of the latter, who are all in Tacna, but who will have to leave, owing to the persecutions directed against them; that he was the lessee of several farms which he profitably worked, estimating his losses, owing to the capital invested and to his crops, to be 1,000 pesos, as well as his earnings which were 150 pesos a month; that he knows that considerable numbers of Peruvians have been interned in the South of Chile, and that he has several times witnessed the recruiting of Peruvian citizens for service in the Chilean army, the last time he witnessed such an occurrence being at the beginning of July, when Francisco Ale, José Florez, Carlos Ara and Luis Gonzales were apprehended in the streets of Tacna, imprisoned in the police barracks and sent to Arica where they were forcibly put on board the vessel which proceeded south, no one having ever received any news of their whereabouts from then to this date; that the farms in the surrounding country, which belonged almost exclusively to Peruvians, were continually being overrun by soldiers and police officers, the crops being stolen and the owners maltreated and even imprisoned for no reason whatever, being set free only upon payment of heavy fines, while the abuses committed by the Water Delegate, Manuel Carbalon, who used for his own advantage the water which rightfully belonged to the community, are too well known to need more than passing mention; that witnesses to the above are Pedro Montes de Oca, Alejandro Valdivia, Alejandro Espejo, Isaac Loza, and all the inhabitants of Tacna; that his present address is Callao, Piura Street, No. 155.

(Signed)

JULIO LOZA FRIAS.

(Signed)

GALLAGHER Y CANAVAL.



### AFFIDAVIT No. 95

In Lima, October 31, 1923, Carlos Roberto Valdez Vildoso appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a farmer, born in Pachia, district of Tacna, and legally domiciled therein all his life, and inscribed, against his wish, in the Chilean Military Register; that on the 4th of October, 1923, at 4 A. M. he was summoned to appear before the Police Commissioner of Pachia so as to testify as a witness respecting an investigation which was being carried out by the authorities relating to a sale of wines which, it was alleged, had been made without the necessary license, but knowing that the purpose of this summons was a mere pretense and that what was intended was to detain him in the police barracks and then deport him to the interior of Chile, deponent, together with other Peruvian young men, who were being sought by the police under different pretexts, left that same night for the Peruvian frontier; that the injury suffered by deponent consists in having had to leave his home and parents with whom he lived and on whom he was dependent; that it is true that the Chilean authorities have systematically deported young Peruvian citizens, among whom he remembers the cases of Hipolito Rodriguez, German Castro, Claudio Gutierrez, Pio Torres, Vicente Marcos, Grimaldo Coaila, Modesto Rios and many others; that the young men are taken to Chile and incorporated with the army, while the remaining Peruvian denizens are hindered in every way from carrying on their business and are exposed, not only to persecution of every kind, but find no redress from the Chilean authorities; that the whole district of Pachia is witness to the above; that his present address is Lima, Mercedarias Street, No. 1023.

(Signed) CARLOS VALDEZ.

(Signed) GALLAGHER Y CANAVAL.

### AFFIDAVIT No. 96

In Lima, October 31, 1923, Luis Arroyo appeared, and after being duly sworn testified that: He is 33 years of age, unmarried, a tailor by trade, born in the Department of Puno and legally domiciled in the City of Tacna for the last 25 years, inscribed in the Military Register of Peru but not in that of Chile, although the authorities endeavored to compel him to do so; that upon calling at the Prefecture of Police of Tacna on the 3rd instant for the purpose of securing a passport, intending to go to Sama on a busi-

ness trip for a few days, the Chief of the Investigation Department, who has charge of the passport division, informed him that, from that moment he would have to leave the City of Tacna, furnishing him with a passport to that effect; that for this reason, and having, in addition, suffered countless humiliations and persecution, as is the case with all citizens of Peruvian nationality, deponent accepted his passport and proceeded to Sama where the document was given up to the carbineers who are stationed on the frontier; that his family consists of his mother and a sister, who have remained in Tacna, but who will shortly follow deponent to Lima, owing to the absence of all guarantees of safety; that the damage suffered by deponent consists in the loss of his occupation at which he earned 200 pesos a month; that he can personally testify that during November last, many young Peruvian men from the surrounding country districts of Tacna, and from the Port of Arica and the valleys adjacent thereto, were apprehended and deported to the south of Chile; that deponent received a letter from one Victor Paniagua, who was one of the internees, informing him that he was serving in the O'Higgins Regiment of Coquimbo as a conscript; that Peruvian citizens are daily molested and assaulted in the streets and public thoroughfares of the city, and are exposed to the frequent raiding of their homes, abuses which are effected by the soldiers and officers of the army under police protection; that Peruvians, who are engaged in business, are refused the necessary trade permits and are subjected to countless other abuses which eventually compel them to emigrate; that witnesses to the above are Julio and Isaac Loza, Montes de Oca, Alejandro Espejo, Alejandro Valdivia, and in general, all the inhabitants of Tacna; that his present address is Callao, Piura Street, No. 155.

(Signed)                      LUIS ARROYO GONZALES.

(Signed)                      GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 97

In Lima, October 31, 1923, Raul Diaz Guerra appeared, and after being duly sworn testified that: He is 19 years of age, a clerk by occupation, unmarried, born in Tacna which is his legal residence and where he has resided all his life, and inscribed in the Civil Register of the province; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on the 11th of July he appeared in the Primary Court of Tacna, declaring that he had not registered in



the Military Register owing to his Peruvian nationality, which therefore absolved him from the obligation of serving in the Chilean army, deponent signing a declaration to this effect, which Judge Lamberto Caro drafted; that on the 6th of the present month he was notified by an official of the Court, Victor Montt Santana, respecting the verdict which sentenced him to 60 days' imprisonment and to 2 years' service in the army, besides 30 pesos, the costs of the case; that deponent appealed to the Court of Iquique against this sentence, but that as there were no guarantees of safety in Tacna, and since he ran the risk of being apprehended at any moment, notwithstanding the appeal he had instituted, deponent decided to take passage on the steamer *Orcoma* from Arica to Callao; that his family consists of his mother and 5 brothers under age, who are shortly to leave for Lima; that the damage suffered by deponent consists in the loss of his position and his earnings, which were 200 pesos a month; that it is true that the Chilean authorities have deported young Peruvians, and that last year deponent was arrested for that purpose and he only recovered his freedom after considerable effort; that another case deponent recalls is that of a servant of his family called Mariano Olgana, a Peruvian citizen who was arrested and was to have been sent to Coquimbo, but as they found that one of his arms had been injured permanently he was refused for service; that the methods of oppression followed by the Chilean authorities consist in preventing Peruvian citizens from earning their livelihood, expelling them from their positions and replacing them with Chileans, and assaulting them and attacking their homes, and in general, making their lives unbearable; that witnesses to the above are Alberto and Dante Vargas, Enrique Guerra, Humberto Albarracin, Adolfo Prado, Oswaldo Salas and in general, all the recent deportees; that his present address is Lima, Buenos Aires Street, No. 784.

(Signed)

RAUL DIAZ G.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 98

In Lima, October 31, 1923, Enrique Guerra appeared, and after being duly sworn testified that: He is 28 years of age, married, a clerk by occupation born in the City of Tacna and legally domiciled in the Port of Arica up to the time of his expulsion, and inscribed

in the Civil Register of Tacna; that the proprietor of the business firm where deponent was employed, Pedro Salvatierra, an Italian subject, informed him that the Chief of the Secret Service of the Port of Arica had informed him that deponent's name appeared on the list of those Peruvians who were to be interned in the Southern provinces of Chile, without however, stating precisely which of these was to be the point of internment; that his superior then undertook immediate steps to secure from the authorities the suspension of this measure, and that 10 days he allowed him to leave the Port of Arica, upon the expiration of which he took passage on the steamer *Orcoma* for Callao; that his family consists of his wife and 2 children under age who have remained in Arica exposed to the hostilities suffered by all Peruvians, but that they will shortly join deponent in Lima; that the damage suffered by deponent consists in the loss of his position, and his earnings, which were 270 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of young Peruvians in the Southern provinces of Chile, it being publicly stated that the point of internment is the Province of Coquimbo, the men taken in preference being denizens of the outlying districts and the more humble inhabitants of the Port of Arica and the City of Tacna, owing to their being of less social prominence; that at the end of last September he witnessed the arrest in the public streets of Arica, of Lorenzo Ponce, Alejandro Tellez, Cuellar and Montoya, and many others whose names he does not remember, who were forcibly put on board, notwithstanding their protests respecting their Peruvian nationality, no news of their fate having ever reached their relatives or friends; that about a year ago it was forbidden to persons of Peruvian nationality to occupy the stands in the market place, their places being taken by Chileans; that the correspondence addressed to Peruvian citizens was violated in the Post Office, while the police habitually and arbitrarily arrest Peruvian citizens under the most futile pretexts and sometimes for no cause whatever, imprison and torture them and only release them upon payment of large sums; that witnesses to the above are Ernesto Cano, Juvenal Lagos, Raul Diaz, Dante Vargas, Jorge García and in general, all the recent deportees from Arica; that his present address is Lima, Buenos Aires Street, No. 684.

(Signed)

ENRIQUE GUERRA S.

(Signed)

GALLAGHER Y CANAVAL.



### AFFIDAVIT No. 99

In Lima, October 31, 1923, Alejandro Espejo appeared, and after being duly sworn testified that: He is 17 years of age, unmarried, a student, born in the City of Tacna which is his legal residence and where he has resided all his life, and inscribed in the Civil Register of the province; that upon being aware that the young Peruvian citizens were being conscripted for the purpose of taking them to Chile and having, in addition, received information to the effect that he would shortly be arrested, he fled from Tacna on the 10th of this October, proceeding on foot to the Peruvian frontier, whence he eventually reached Ilo and took passage for Lima; that his family consists of his parents with whom he resided; that he has suffered no material losses but has been greatly inconvenienced through having been compelled to leave his home and settle in a strange city, far from his family; that it is a fact that the Chilean authorities have interned considerable numbers of young Peruvian citizens, among whom he remembers the cases of Carlos Ara, José Rosas Ramos, who were seized by the police in the public streets and shipped from Arica to the south of Chile; that Peruvian citizens are systematically abused and arrested for no apparent cause, as is publicly well known in the City of Tacna; that his present address is Callao, Piura Street, No. 155.

(Signed)

ALEJANDRO A. ESPEJO.

(Signed)

GALLAGHER Y CANAVAL.

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### AFFIDAVIT No. 100

In Lima, November 2, 1923, German Segundo Fuentes appeared, and after being duly sworn testified that: He is 17 years of age, unmarried, a jeweler's apprentice by trade, born in the City of Tacna which is his legal residence and where he has resided all his life and inscribed in the Civil Register of the province; that being fearful of the abuses which he witnessed, committed by the Chilean authorities against the persons of young Peruvians on the pretext of conscripting them in the Chilean army, and knowing that his name appeared on the recruiting lists, and exasperated, moreover, by the persecutions which were being carried on relentlessly and of which he, himself, was a victim, he decided to leave the territory in occupation by Chile, and on the 22nd of October last, took passage on the steamer *Oriana* for Callao; that his family consists of his parents and eight brothers, all under



age except one, who have still remained in Tacna; that the damage suffered by deponent consists in the loss of his position, where he earned 60 pesos a month; that it is true that the Chilean authorities have deported large numbers of young Peruvians, among others, Leoncio Alay and a young man called Quintana, who is dumb; that the abuses committed by the authorities have even reached the point of murder, as happened in the case of Juan Sanchez; that all the Peruvian farmers are made to pay taxes and fines of every kind, and are, likewise, deprived of the water for their crops to which, by law, they are entitled, the produce of their fields and gardens being, likewise, lost to them through the depredations committed by the soldiery; that witnesses to the above are Alberto Palza, Carlos and Maximo Lanchipa, Eduardo Sanchez and others; that his present address is Callao, Venezuela Street, No. 271.

(Signed)

GERMAN S. FUENTES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 101

In Lima, November 2, 1923, Alberto Palza Collao appeared, and after being duly sworn testified that: He is 33 years of age, married, a carpenter by trade, born in Tarata and legally domiciled in Tacna for the last 15 years; that his marriage is inscribed in the Civil Register of Tacna and that he refused to register in the Chilean Military Register, although the Chilean authorities endeavored to compel him to do so; that on the 12th of October, 1923, he was summoned to appear before the Primary Court where the Judge, after interrogating him in regard to his status and why he had not registered in the Military Register, deponent replying that he did not consider this requisite applied to him, owing to his Peruvian nationality, gave him a declaration to sign and told his case was finished; this method is well known to the Peruvian citizens of Tacna and Arica, and is the usual alternative given to them of either serving in the Chilean army or evacuating the territory, since the consequence of the above is to sentence them as delinquents under the Law of Recruits and Substitutes, he preferred to leave Tacna, well aware that it was impossible for him any longer to remain, owing to the implacable hostility shown to Peruvians for one reason or another, so that he decided to take passage on the steamer *Oriana* on the 22nd of October, for Callao; that his family consists of his wife and



3 children under age who have remained in Tacna; that he owns an apartment house in Tacna valued at 4,500 pesos; that the damage suffered by deponent is at least 4,000 pesos, as well as his earnings which were 300 pesos a month; that it is true that the Chilean authorities have deported many young Peruvian citizens, among whom he knows personally of the cases of Leoncio Alay, Carlos Ara and José Molina; that the young men of Peruvian nationality are relentlessly pursued so as to compel them to serve in the Chilean army, while no Peruvian citizen can hope for any protection from the authorities, either for his person or for his property; that a few days before he sailed he witnessed the attack and destruction, by Chilean mobs, of the printing establishment of Sr. Crespo, while all Peruvians are systematically persecuted, being prevented from exercising their right to work; that witnesses to the above are all the inhabitants of Tacna; that his present address is Lima, Hoyos Street, No. 693.

(Signed) ALBERTO PALZA C.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 102

In Lima, November 2, 1923, Humberto Albarracin appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a mechanic by trade, born in Tacna and legally domiciled in the City of Tacna where he has resided all his life, inscribed in the Civil Register of Tacna but not in the Military Register of Chile, although the authorities endeavored to compel him to do so; that on the 5th of September, 1923, he appeared in the Primary Court before the Substitute Judge, Mujica, and declared that he was not inscribed in the Military Register of Chile, owing to his Peruvian nationality; that this deposition was then signed by him; that about 10 days later, the Police Agent, Valderrama, notified him that he had been sentenced as a delinquent under the Law of Recruits and Substitutes to 60 days' imprisonment and 2 years' military service, as well as payment of the costs of the case, 25 pesos having been paid by deponent for this purpose; that deponent appealed against this sentence, but as, during those days, the arbitrary arrests and other persecutions were greatly intensified, and being fearful of the consequences which this condition of affairs might imply for deponent, he decided to leave the city, proceeding overland to the provisional frontier of Sama; that his family consists of his parents and a brother, the former

whom are still in the City of Tacna; that the material damage suffered by deponent consists in the loss of his employment and of his earnings, which were 8 pesos 50 per day; that it is true that the Chilean authorities have interned considerable numbers of young Peruvians in the Southern provinces of Chile, among whom he remembers the cases of Alay, Jufra, Vargas, Centelles and many others whose names he cannot, for the moment, recall; that merchants and carriers of Peruvian nationality, proceeding from the valleys to the City of Tacna, have to suffer the loss of lots of their merchandise, the payment of heavy and arbitrary fines and arrest before they are allowed to return whence they came; that soldiers and officers of the army continually molest and even assault defenceless Peruvian citizens in the streets and public places, being protected in all this by the police authorities, while it is a well known fact that these same soldiers habitually overrun the outlying farms for the purpose of stealing the crops and produce; that witnesses to the above are Francisco Ale, Raul Diaz, Enrique Guerra, Dante Vargas, Jara Almonte and in general, all the recent deportees from Tacna; that his present address is Callao, Piura Street, No. 155.

(Signed)

HUMBERTO ALBARRACIN.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 103

In Lima, November 2, 1923, Humberto Sanchez appeared, and after being duly sworn testified that: He is 20 years of age, married, a mechanic by trade, born in the City of Tacna which is his legal domicile and where he has resided all his life, and not inscribed in the Chilean Military Register, although the authorities endeavored to compel him to do so; that having been informed that he was being sought for the purpose of conscripting him for service in the Chilean army, which was repugnant to his feelings as a Peruvian, he decided to leave Tacna, which he, in fact, did on the 15th of October, 1923, sailing on the steamer *Ebro* for Callao; that his family consists of his wife who has remained in Tacna; that he owns a house worth 4,000 pesos; that the damage suffered by him is about 1,000 pesos and his earnings, which were 500 pesos a month; that it is true that the Chilean authorities have deported considerable numbers of young Peruvian citizens to the South, among whom he remembers Oscar Quelopana, a man named



Molina, another called Quintana who was a mute, Wenceslao Zavala, Leoncio Alay, and many others whose names he cannot, for the moment, recall; that Peruvians have to endure all manner of persecution and even mistreatment, as is publicly known in Tacna; that his present address is Callao, Puno Street, No. 202.

(Signed) HUMBERTO H. SANCHEZ.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 104

In Lima, November 3, 1923, Edmundo N. Sanchez, appeared, and after being duly sworn testified that: He is 27 years of age, married, a watchmaker by trade, born in the City of Tacna and legally domiciled therein, and also inscribed in the Civil Register of the province, having declined to register in the Chilean Military Register, although the authorities endeavored to compel him to do so; that during the first days of October, 1923, two police agents of Tacna, upon instructions from the Chief of the Secret Service, Barahona, called several times at deponent's residence for the purpose of arresting him and conscripting him into the Chilean army, but that deponent managed to hide, and a few days later, that is to say the 16th of the same month, he managed to take ship from the Port of Arica for the Peruvian Port of Mollendo, whence he eventually reached Lima; that his family consists of his wife and 4 children under age who have still remained in Tacna, but who, owing to the persecution directed against him, will shortly join deponent here; that he owns real estate worth 2,000 pesos, while the financial damage he has suffered consists in the loss of his watch-repairing establishment worth 2,500 pesos which he has been obliged to abandon, as well as his earnings, which were from 300 to 400 pesos a month; that it is true that the Chilean authorities intern large numbers of Peruvian youth to the Southern provinces of Chile; that as many of these belong to the outlying districts and do not belong to prominent families, he does not remember their names, but he can testify to the fact that, among those recruited in Tacna, he knows of Leoncio Alay, Quintana and Molina, who were all taken while at work; that the persons and homes of Peruvian citizens are habitually assaulted and attacked, as was the case when he witnessed the mistreatment of the well known Peruvian gentleman, Ostolaza; that the Chilean authorities forbid all business transactions with the valleys on the border, and should any

carriers endeavor to bring in their produce to Tacna, they are arrested, despoiled of their merchandise and beasts of burden, and enrolled in the Chilean army; that witnesses to the above are Carlos Lanchipa, Pedro Montes de Oca, Alberto Palza, Santos Arenas and Alejandro Villagra; that his present residence is Callao, Puno Street, No. 202.

(Signed)

EDMUNDO N. SANCHEZ C.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 105

In Lima, November 3, 1923, Ernesto Cano Cornejo appeared, and after being duly sworn testified that: He is 31 years of age, married, a typesetter by trade, born in Tacna and legally domiciled in Arica until his expulsion, inscribed in the Civil Register of the province and in the Military Register of Peru; that during the first days of March, 1923, he was summoned to the Court presided by Pedro Cuevas, who informed him that, owing to his delinquency in regard to service in the Chilean army, he was exposed to the full rigours of the law; that deponent signed the declaration presented him by the Judge, and after several months, that is to say, the 6th of October last, he was notified by the police agent of Arica, David Montesinos, to appear once more in the Court to hear his sentence, which consisted in 21 days' imprisonment and 20 months' service in the Chilean army; but that having to present himself on the 11th at the Artillery Barracks of Arica, for service, on the 10th he managed to take passage on the steamer *Orcoma* for Callao; that his family consists of his wife and 2 children under age, who left, in company with deponent, from the Port of Arica; that he owns a house in the City of Tacna in company with his brothers, which is valued at from 4,000 to 5,000 pesos; that the damage suffered by deponent consists in the loss of his occupation and his earnings, which were 360 pesos a month; that he personally witnessed, last September, the arrest in the Port of Arica of several young Peruvian citizens who were shipped on the steamer *Taltal*, among whom he recognized Ponce, Cuellar, José Rabuttia and Lanchipa, the first two of whom he knows are in Iquique, because they managed to send word to their families; that about a year ago all the holders of the market stands of Arica were ejected, their places being taken by Chileans who had been imported for this special purpose, and a few months later, under pretext of guaranteeing the good condition of the produce, the farmers of



the valleys were required to have them inspected by an official who was appointed for the purpose, named Enrique Ostornol, to whom was also given authority to determine the prices of such produce, which he proceeded arbitrarily to determine, in consultation with the Chilean owners of the market stands, all of which naturally redounded to the great loss and prejudice of the producers; while, for the last six months these same farmers have been compelled to sign contracts with a man named Morales, a secret agent for the Government of Chile, by which they agree to furnish work to Chilean families for a year, which may be extended at the option of the workers, the head of the family being allowed 6 pesos a day, the wife 50 pesos a month, and 10 pesos for each child for over 10 years; that the plantation or farm is required to furnish the necessary land for the growing of produce, as required by the worker and his family, in addition to the farm equipment and seed, while in case the contract should be renewed, the conditions are the same, except that the head of the family receives 7 pesos a day, and in case the contract should be rescinded, the workers and their families shall be entitled to the costs of their passages and expenses from Arica to the place from which they were brought, while the contract also stipulates that in case of differences or disagreements between the parties, the Chilean Governor of the province shall act as arbitrator, whose decision shall be final and without appeal; that these contracts are well known to deponent, since he was employed up to the beginning of October, on the newspaper *El Ferrocarril* of Arica which printed them; that during the month of August, last, he saw hundreds of Peruvian denizens from the districts of Putre, Socoroma, Belen, Codpa, Ticnamar and from Lluta, all of them farmers, being forcibly taken from those districts to the Coast Artillery Barracks in the Port of Arica, the Commandant of which is Captain Luis Tello, these people being a short time later put on board the motor vessel *Milda* and taken, in several trips, to the south of Arica; that in addition to the usual methods of persecution employed against Peruvian manufacturers and merchants, whose trade permits are withdrawn, all other business firms are required to dismiss their Peruvian employees and to replace them by Chilean citizens; that up to about two or three months ago, either by direct or indirect means, Peruvian citizens were expelled to Peru or Bolivia, but recently they have not even been allowed to select their future abode, but have been sent to the Southern provinces of Chile; that witnesses to the above are Mariano Laura, Nacarino, Albar-

racin, Juvenal Lagos, and many others; that his present address is Lima, Huancavelica Street, No. 978; that while working in the printing establishment he was able, on several occasions, to hear conversations relative to schemes for altering the civil registers of Arica so as to favor Chilean interests.

(Signed) ERNESTO CANO C.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 106

In Lima, November 3, 1923, Elesban Velasquez y Ticona appeared, and after being duly sworn testified that: He is 25 years of age, unmarried, a farmer, born in Pachía, district of the Province of Tacna which is his legal residence and where he has resided all his life, and inscribed in the Civil Register of Pachía; that since the month of April last, he was informed that the Chilean authorities were looking for him, as well as other fellow-citizens from the same district, so as to compel them to register in the Chilean Military Register and serve in the Chilean army, owing to which deponent remained in hiding in the hills; that on the 4th of October, last, at daybreak, police agents broke into his home for the purpose of arresting him, but deponent managed to elude them; that Modesto Rios and Hipolito Rodriguez, who were in the same condition as deponent, were not so fortunate, and were apprehended, together with a great many more, and were taken in trucks to the police headquarters in Tacna for internment in the South of Chile; that on the 4th of October, to which he has referred, at 9 that night, he decided to leave his home for the reason stated above, and proceeded, together with Pedro, Eudoro, Vidal, and Julio Rejas; Manuel Menendez, Alejandro Arias, Pedro Vildoso, Hector Ruben, and Eudoro Masuelos, Vildoso, Carlos Valdez, Edilberto Rejas, Walter Valdez, Romulo Liendo, Humberto Rejas, Carlos Gil, Roberto Vargas, José Eugenio Gil, Federico Velasquez, and Severo Vildoso, towards the Peruvian Frontier at Sama, since all were being sought for the purpose of compelling them to serve in the Chilean army; that his family consists of his parents and 4 brothers, all over age, the former remaining in Tacna, since they are over 80 years of age, but living in the greatest want, since they were dependent upon deponent; that he worked 2 farms belonging to his parents, which were stocked with cattle belonging to deponent, the total value being 30,000 pesos; that the damage he has suffered consists in the loss



of his harvests and cattle worth 3,000 pesos, as well as his earnings which were 350 pesos a month; that it is true that the Chilean authorities have deported Peruvian citizens, among whom he can name Modesto Rios, German Castro, Grimaldo Coaila, José Pio Torres, Manuel Calderon, Vicente Marcos, Leopoldo Rospigliosi and Isidro Alvarez, Peruvian denizens from the town of Pachía, and Felix Arana from Calientes, the first of these, owing to severe wounds caused by being struck with an ax when he was arrested, had to be taken to the hospital in a serious condition, on arriving in Tacna; that Peruvian farmers, in addition to being charged higher taxes for the care and construction of roads than those stipulated by law, are compelled to work, with no compensation, toward the upkeep of these same roads; that his present address is Mercedarias Street, No. 1023.

(Signed)

ELESBAN VELASQUEZ.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 107

In Lima, November 3, 1923, Alejandro C. Paredes appeared, and after being duly sworn testified that: He is 51 years of age, married, a merchant, born in Tacna which is his legal residence and where he has resided all his life, and in possession of his baptismal certificate; that on account of the persecution directed against all Peruvians in Tacna, with no distinction for age or sex, carried out by the Chilean authorities, and of which deponent was one of the victims, having been deprived of the men he employed for the purpose of carrying out contracts he had entered into for street-cleaning in Tacna, and was finally forbidden by the authorities to engage in all work of this nature, he was compelled to leave the city, sailing on the 22nd of last month from Arica, for the Port of Callao; that his family consists of his wife and 2 children, as well as 3 nephews under age, who are still in Tacna with the exception of his children; that he owns a farm and 6 pieces of real estate in the City of Tacna worth 50,000 pesos, which he has succeeded in renting; that the losses he has suffered amount to 3,000 pesos, and his earnings which were 600 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian youth, though he does not know exactly where they have been sent, among whom he can mention the names of Wenceslao Zavala, Carlos Molina, Pedro Torres, Juan Chambi; that Peruvian business men are hindered in the

exercise of their trades through having their trade permits taken away from them, without which they cannot undertake any commercial transaction; that the farmers are compelled to sell their produce at prices which cause them serious losses, while they are also compelled to appoint as Water Delegate, the Chilean citizen, Manuel Corvalon, who takes advantage of his possession to dispose of the water to his own benefit and as he thinks fit, thus depriving the Peruvian community of its rightful share of the waters of the River Caplina; that witnesses to the above are Maximo Lanchipa and his brother, Carlos, and in general all the deportees from the Province of Tacna; that his present address is Callao, Lima Street, No. 62.

(Signed)	ALEJANDRO C. PAREDES.
(Signed)	GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 108

In Lima, November 5, 1923, Edmundo Saravia appeared, and after being duly sworn testified that: He is 33 years of age, unmarried, a merchant, born in the City of Tacna which is his legal residence and where he has resided all his life, inscribed in the Civil Register of Tacna but not in the Military Register of Chile, although the authorities endeavored to have him do so; that in July, 1923, he appeared before the Primary Court of Tacna, where Judge Lamberto Caro interrogated him, deponent stating that he was not inscribed in the Military Register of Chile because he was a Peruvian citizen and was, therefore, not obliged to serve in the Chilean army; that upon deponent's deposition having been signed, a perusal of the same having been denied him, a few days later he was notified of the verdict of the Court which sentenced him to 2 months' imprisonment and 2 years' compulsory military service, no copy of the sentence being given to deponent who, however, at once appealed to the Court of Iquique; that during the subsequent days persecutions against Peruvians having been intensified, and hearing that, notwithstanding his motion of appeal, his name had been given out for arrest, he decided to leave the City of Tacna, sailing on the steamer *Orita* for Callao from the Port of Arica on the 18th of August; that his family consists of 3 brothers over age, whom he left in Tacna, but does not know whether they have since been expelled; that he is owner of a farm and 3 houses in the City of Tacna, worth 30,000 pesos, the first of which has been left uncared for because the lessee, a Peruvian



citizen, has recently been expelled, while deponent had no time to rent his city real estate; that his losses amount to 17,000 pesos because, on leaving Tacna precipitately, he could not transfer his baking establishment which he had just fitted up with new and costly machinery, a business which brought him in 500 pesos a month; that he is aware that young Peruvian citizens were conscripted in Tacna by the Chilean authorities and sent to various points in the South of Chile, among whom he knows of José Molina, Mariano Laura, Carlos Ara, and many others who were apprehended in the City of Tacna; that Peruvian citizens are molested and assaulted in the public streets with no distinction for sex or age, as happened to Lorenzo Ostolaza, who was attacked and cruelly beaten to the extent of breaking one of his arms, because he had refused to serve in the Chilean army owing to his Peruvian nationality; that the farmers of the district are deprived of the water to which they are entitled, from the Rivers Caplina and Uchusuma, owing to the activities of the Chilean citizen, Manuel Corvalon, whom they have been compelled to appoint as Water Delegate; that the merchants are hampered in their business operations, and deprived of their means of livelihood, through the withdrawal of their trade permits; that witnesses to the above are Enrique Guerra, Luis Diaz, Justo Marin, and all the recent deportees from Tacna; that his present address is Lima, Marañon Street, No. 440. Deponent further testifies that he has heard it said that changes are being made in the Civil Register of the City of Tacna for the purpose of favoring Chilean interests in case of a plebiscite.

(Signed)

E. D. SARAVIA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 109

In Lima, November 5, 1923, Oswaldo Zevallos Ortiz appeared, and after having been duly sworn testified that: He is 62 years of age, married, a professor, born in Lima and legally domiciled in Arica from March, 1895, until February, 1899, and in Tacna from this last date until that of his expulsion; in possession of his baptismal certificate and inscribed in the Military Register of Peru; that on the 17th of May, 1901, he was verbally notified by the police officer, Jaramillo, upon orders from the Intendente, Manuel Francisco Palacios, that he would have to close the institution entitled "Higher Commercial School," which deponent conducted

in the City of Tacna, and that he would likewise have to leave the territory within 15 days on account of his Peruvian nationality, the same measures having been adopted with regard to all the other educational institutions in the Provinces of Tacna and Arica which were conducted by Peruvian citizens; that upon personally appealing to the Intendente against these measures of closure and expulsion, he was informed that the action had been taken, owing to superior instructions, and declined to confirm his actions in writing; that owing to this attitude, deponent appealed to the Primary Court of Tacna, his appeal being undertaken by Dr. Emilio Valverde, but the Judge refused to take action in the case, declaring the Court to be without jurisdiction in the matter, all proceedings relative to this appeal having been interrupted, owing to the orders received from the authorities to that effect, so that deponent was compelled, a short time later, to leave Tacna; that his family consists of his wife and 2 children under age, while the damage consists in the loss of the furnishings of the school which he was compelled to abandon, and which he estimates to be 5,000 pesos, as well as his earnings which were 500 pesos a month; that at the time to which deponent's testimony refers, the hostilities directed against Peruvian citizens mainly consisted in the closure of their schools and the refusal to allow Peruvian Customs House agents from carrying out their business in the Arica Customs House, as well as the prohibition, to all persons of Peruvian nationality, from carrying out any of the operations connected with the transshipment of merchandise and passengers to and from the docks to the steamers; that witnesses to the above are Artidoro Espejo, Pedro Pescetto, Gerardo Vargas H., Dr. Pastor Jimenez, Enrique Cerpa, Julio D. Moreno and many others; that his present address is Lima, Espiritu Santo Street, No. 574.

(Signed)

N. O. ZEVALLOS ORTIZ.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 110

In Lima, November 6, 1923, Ricardo Cornejo Figueroa appeared, and after being duly sworn testified that: He is 40 years of age, unmarried, clerk, born in Arica where he has resided all his life until he was compelled to leave, inscribed in the Civil Register of Arica and in the Military Register of Peru, having refused to register in that of Chile, although the authorities endeavored to



compel him; that in December, 1911, the authorities of Arica, as well as those of Tacna, undertook the conscription of young Peruvian citizens, some being verbally notified, among whom was deponent, while others were simply apprehended, so that he decided it would be wiser to leave the Port of Arica because, being a Peruvian citizen he had no desire to serve in the Chilean army; that his family consists of his parents and 8 brothers who remained in Arica, but who were compelled to emigrate, owing to the increased persecution which took place towards the end of 1918, after which life was absolutely impossible; that he owns some real estate in the Port of Arica worth 5,000 pesos, which brings him in nothing owing to the conditions which obtain in that port respecting property belonging to Peruvian citizens; that he estimates his losses to be 3,000 pesos, as well as his earnings, which were 600 pesos a month; that the Chilean authorities continually conscript young Peruvians for service in the Chilean army, threatening others with the same fate so as to terrorize them and so obtain their emigration; that Peruvian citizens are forbidden to pass their merchandise through the customs house, while they are likewise forbidden to engage in any of the occupations connected with the hauling and shipment of merchandise, all of which have been given over to Chilean citizens imported for that specific purpose; that at that time the printing establishment of the Peruvian newspapers *La Voz del Sur*, *El Tacora* and *El Morro de Arica*, had been already destroyed, and the publication of any Peruvian periodical forbidden, while the forcible expulsion of the Peruvian ecclesiastics and the closure of the Peruvian schools had likewise been consummated; that witnesses to the above are Artidoro Espejo, Gerardo Vargas H., Julio Moreno, Pedro Pescetto, Ricardo Cornejo, and many others; that his present address is Lima, La Mar Street, No. 255.

(Signed)

RICARDO CORNEJO F.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 111

In Lima, November 9, 1923, Aníbal Liendo Figueroa appeared, and after being duly sworn testified that: He is 22 years of age, unmarried, a clerk, born in the City of Tacna which is his legal domicile and where he has resided until the end of 1918, inscribed in the Civil Register of the Province, and compelled by the Chilean authorities to register in the Chilean Military Register and in-

scribed in the Military Register of Peru; that in the beginning of November, 1917, when he was only 16 years of age, he was taken together with his brother Victor, and brought to the Barracks of the Rancagua Regiment where they were kept as reservists, his brother Victor, upon appealing for exemption on the ground of being the sole support of his family, was set at liberty; that deponent remained in the army for 10 months, notwithstanding that he several times protested against such arbitrariness on the ground of his Peruvian nationality; that upon his term of service having expired, and so as to vindicate his status as a Peruvian citizen, he left the City of Tacna and came to this city (Lima), and voluntarily enrolled in the regiment "Escolta," where he remained for one year, leaving with the grade of corporal, since when he has continuously resided in this city; that his family consists of his mother and 2 brothers; that Peruvians are forcibly compelled to serve in the Chilean army merely on account of the fact that they were born in Tacna; that witnesses to the above are Victor Liendo, Armando Vignolo, Manuel Rospigliosi and many others; that his present address is Lima, Espalda de Santa Clara Street, No. 471.

(Signed)

ANÍBAL A. LIENDO F.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 112

In Lima, November 9, 1923, Rafael Gonzales Zambrano appeared, and after being duly sworn testified that: He is 35 years of age, a clerk by occupation, married, born in Tacna and legally domiciled in Arica since 1909, up to the date of his expulsion; in possession of his baptismal certificate and inscribed in the Military Register of Peru; that on the 15th of August, 1919, he was notified by police agents to appear before the Prefect, Eduardo Linsay, who told him that, in obedience to superior orders he was given 15 days to leave the Port of Arica because he was a Peruvian citizen and therefore unwelcome to Chile; that before the expiration of this time limit, he appealed to the Governor, Luis Arteaga, so as to obtain the annulment of this order of expulsion, and after repeated attempts, as well as the intercession of well-known Chilean citizens such as José Manuel Donoso and Arturo Quiroz, he succeeded in obtaining various extensions, the last of which lapsed on the 5th of January, 1920, on which date he took passage on the steamer *Huasco* for Callao; that his family consists of his wife and a daughter under age, who were compelled to follow



deponent two months after his expulsion, owing to the persecution suffered by them; that he owned 2 houses in the City of Tacna and one in Arica, as well as merchandise, all of a value of 40,000 pesos; that he estimates his losses in 20,000 pesos, as well as his earnings which were 300 pesos a month; that Peruvian citizens are compelled to register in the Military Register of Chile and to serve in the Chilean army, while they are systematically abused and assaulted for no reason whatever, in the public streets, as happened with Manuel Lacunza and Neptali Berroa while their business establishments are sacked of their contents, as happened to Juan Wodm, Vicencio Para, Zacarias Gonzales, Luis Beretta, Antonio Solari, and Faucheix; that for the purpose of intimidating and persecuting the inhabitants of the valleys of Arica, bands of police agents customarily overran the districts, taking forcible possession of the crops and even the cattle belonging to the farmers; that witnesses to the above are Gregorio Macarino, Eduardo Pinto, Raul Rey, Luis Belaúnde, Pedro Pescetto and in general, all the inhabitants of Arica; that his present address is Lima, Mandamientos Street, No. 289.

(Signed)

R. GONZALES.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 113

In Lima, November 10, 1923, José Julio Giron appeared, and after being duly sworn testified that: He is 51 years of age, married, a farmer, born in the City of Tacna and legally domiciled in the district of Pocollay in the Province of Tacna, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that during the month of August, 1920, as his sons, Julio Serafin and Jesus Alberto Giron were being sought for the purpose of compelling them to register in the Chilean Military Register, on which account they were compelled to leave the City of Tacna, and as deponent, himself, owing to his Peruvian nationality, was being persecuted by the Chilean authorities, he decided to leave his home, and on the 17th of that month he undertook his journey to Lima; that his family consists of his wife and 5 children of whom 3 are under age, and who were all obliged to emigrate from the Province of Tacna so as to avoid the persecution directed against them, as it is against all persons of Peruvian nationality; that he owned a house in Pocollay, and a farm which was leased, having been obliged to sell the first and abandon the second, owing to

the situation in which the authorities had placed him; that deponent's expulsion had caused him the loss of 8,000 pesos and his income, which was 400 pesos a month; that the soldiers of the Chilean army habitually overran the farms belonging to Peruvian farmers for the purpose of taking their produce, while the interests of these farmers are still further injured through having been compelled to appoint Manuel Corvalon and Fernando Perez, members of the Chilean administration, as Water Delegates who take advantage of their appointments to divert to their own use and that of the garrison and persons of Chilean nationality, the waters of the Caplina and Uchusuma Rivers which rightfully belong to the Peruvian community; that witnesses to the above are Julio Serafin and Jesus Alberto Giron, Alejandro Paredes, Jacinto and Vidal Jufra, Julio Herrera and in general, all the inhabitants of the Province of Tacna, and among foreigners, Messrs. Pedro Lapeira and Andres Laneri; that his present address is Lima, Cajamarca Street, No. 357. Deponent further testifies that he has heard it said that the Civil Register of Tacna, which is in charge of the Chilean citizen, Armando Holley, had been tampered with so as to include the names of Chilean citizens from other parts of Chile, as having been born in Tacna.

(Signed) JOSE J. GIRON.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 114

In Lima, November 12, 1923, Alfonso Ugarte appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, born in the City of Tacna which is his legal domicile and where he has resided up to his expulsion, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that in the month of January, 1919, in company with 6 young Peruvian citizens, Eduardo Sagárnaga, Angel Butron, Raul Valdivia, Alberto Siles, and Leonidas Morales, he was detained in the Barracks of the Rancagua Regiment to compel him to serve in the Chilean army, but upon the interposition of their families, they were set at liberty, though informed that they would have to register in the Chilean Military Register; and fearful that they would eventually be compelled to do so, as they knew had occurred with others of their fellow-countrymen, they decided to leave the City of Tacna, which they, in fact, did during the last days of



January, together with their parents and brothers for Lima; that his family consists of his parents and 3 brothers under age, who were all obliged to follow their father when he was expelled by the authorities; that Peruvian citizens, as is publicly known, are systematically persecuted, molested and assaulted in the public streets by the soldiers of the garrison; such abuses at times, culminating in murders and criminal assaults, as happened in the cases of Juan Quea, Juan Morris, with the daughter of the first-named and with Miss Garibaldi; that the Chilean troops continually overrun the farms of the district and take possession of the produce; that the Patriotic League, headed by the Registrar, Armando Holley, by the Secretary of the Intendency, Armando Sanhueza y Libano, as well as various chiefs of the different garrison corps, held meetings which were always followed by attacks on the personal property of the Peruvian citizens; that police agents and public officials of the port held up merchants from the valleys contiguous to Tacna, and after assaulting them, took possession of the merchandise they happened to be carrying; that in the schools, the pupils are required and compelled to swear allegiance to the Chilean flag, and threatened with expulsion in case they do not adopt Chilean nationality; that witnesses to the above are Eduardo Jara Almonte, Efraim Valdez, Jorge, Raul and Eduardo Sagarnaga, Carlos Villena, and all the denizens of Tacna; that his present address is Lima, Colmena Street, Porvenir Alley, No. 146.

(Signed) ALF. UGARTE.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 115

In Lima, November 12, 1923, Carlos Carrasco Palacios appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, a clerk by occupation, born in Arica and legally domiciled therein until the date of his expulsion, in possession of his baptismal certificate, inscribed in the Civil Register of Arica and in the Military Register of Peru; that subsequent to the expulsion of his father, José H. Carrasco, and of his brother, José Roberto, which took place between the months of October and November, 1920, deponent continued to reside in the Port of Arica and subjected to all the well-known humiliations, restrictions and persecutions usually suffered by Peruvian citizens; when in the month of July, 1921, he discovered that his name

was down on the lists of the persons about to be conscripted in the Chilean army, so that, for the purpose of avoiding such an indignity, and owing to the absence of all guarantees of safety for persons of his nationality, he decided to definitely leave the Port of Arica, sailing on the steamer *Quilpue* on the 24th of July, 1921, for Callao; that his family consists of his parents and 6 brothers, of whom three are under age, all having been compelled to leave Arica; that the damage suffered by deponent consists in the loss of his occupation which brought him in 320 pesos a month; that all Peruvians, with no distinction as to age, are required to register in the Chilean Military Register and to serve in the Chilean army; that the demonstrations undertaken by the Patriotic League which is directed by Alfredo Raiteri, Carlos Letelier, Lamberto Caro, Ricardo Recasens, Juan de Dios Cepeda, the Treasury Collector, and others who belong to the army, always conclude with assaults and attacks on the persons and property belonging to Peruvian citizens, as happened in the cases of Luis Beretta, Manuel Belaúnde, Vicencio Tara, Lacunza and Berroa; that in the public schools, which were the only ones allowed by the Chilean authorities to engage in teaching, the pupils were required to swear allegiance to the Chilean flag, to take part in public demonstrations of a patriotic nature and to sing the Chilean national anthem regardless of the fact that they were almost all of them of Peruvian nationality, and should any of them refuse to comply with these exactions, they were subjected to severe punishments, including suspension and expulsion, besides the abuse they incurred and the penalty of having their certificates withheld from them; that witnesses to the above are Carlos Cornejo, Gregorio Nacarino, Antonio Fuster, Julio and Luis Carrasco, Oscar Tellez Pinto and many others; that his present address is Lima, Trujillo Street, No. 564.

(Signed)

CARLOS CARRASCO.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 116

In Lima, November 12, 1923, José Roberto Carrasco appeared, and after being duly sworn testified that: He is 29 years of age, unmarried, clerk by occupation, born in the City of Arica, which is his legal domicile and where he resided until his expulsion, in possession of his baptismal certificate and inscribed in the Civil



Register of Arica; that in the month of September, 1920, he was notified by the Patriotic League that he would have to leave the Port of Arica, owing to his Peruvian nationality, and owing to the danger he would have incurred had he disregarded this notification, and owing to the fact that his father had already been expelled and that he was being persecuted by the Chilean authorities, he decided to leave his home, sailing for Lima on the 31st of October of that year, on the steamer *Ebro*; that his family consists of his parents and 6 brothers of whom 3 are under age, all of whom were likewise compelled to leave Arica, owing to the persecution suffered by them; that the damage suffered by deponent consists in the loss of his position with the Arica Railroad and the British Steamship Company, which brought him in 250 pesos a month; that the persecutions directed against Peruvian citizens consist in the orders given to business firms to dismiss their Peruvian employees and to replace them by Chilean citizens who have been brought from other points in Chile for that specific purpose; in requiring them to register in the Chilean Military Register and to serve in the Chilean army; in the protection afforded by the authorities, both police and civil, to the Chilean Patriotic League, which is allowed to attack the persons and the domiciles and loot the business establishments of Peruvian citizens; in compelling the farmers of the Valleys of Lluta, Belen, Azapa, Puquio and Putre, to sell their produce at a fixed price to the Chilean stall-holders in the market place of Arica, and in depriving the travelers of the merchandise which they may be bringing in from the Peruvian frontier; that witnesses to the above are Leonidas Yanulaque, Carlos Cornejo, Juan Zegarra, the Nacarinos, father and son, and in general, all the denizens of Arica who have been recently deported and are at present in this city; that he has heard from the recent deportees that the Chilean authorities of Arica are tampering with the Civil Register of the Province so as to manufacture an apparent preponderance of Chilean voters; and that in addition to interning Peruvian denizens in the Southern part of Chile, the substitutes who are imported to take their places, are accommodated with the identification cards belonging to the deportees, and are thus able to pass themselves off as denizens of the provinces; that his present address is Lima, Trujillo Street, No. 564.

(Signed)

J. ROBERTO CARRASCO.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 117

In Lima, November 12, 1923, Gerardo Ugarte appeared, and after being duly sworn testified that: He is 20 years of age, unmarried, a clerk by occupation, born in the City of Tacna, which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate, and not yet inscribed in the Military Register of Peru; that in the month of January, 1919, in view of the persecution suffered by his father and the arrest of his brother, Alfonso, and above all, owing to the conditions of life in Tacna, for everyone of Peruvian nationality, and being fearful, above all, of suffering the fate of his said brother, and with the intention of avoiding his inscription of the Military Register of Chile, he decided to follow his parents in their expulsion, leaving the city towards the end of January; that his family consists of his parents and 3 brothers under age, who were all compelled to leave the City of Tacna; that Peruvian students attending the Chilean schools, which are the only ones allowed by the authorities, were compelled to undergo several humiliating performances, such as swearing allegiance to the Chilean flag and taking part in patriotic exercises, and that upon one occasion, when deponent declined to swear the necessary allegiance to this flag, alleging his Peruvian nationality, he was suspended from the school courses for 15 days, while other young Peruvians are conscripted into the Chilean army notwithstanding their protests, as occurred with his brother, Alfonso, and other fellow-countrymen; that witnesses to the above are Luis, Carlos and Gustavo Plaza, Carlos Soto, José and Leonidas Morales, and among the foreigners, Carlos Lombardo, and Antonio Descalzi; that his present address is Lima, Porvenir Alley, No. 146.

(Signed) G. UGARTE.

(Signed) GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 118

In Lima, November 12, 1923, Justo Marin appeared, and after being duly sworn testified that: He is 43 years of age, married, a clerk by occupation, born in the City of Tacna, which is his legal domicile and where he has resided all his life, and in possession of his baptismal certificate; that in the month of December, 1918, he was notified by General Rojas Arancibia, as were numerous other Peruvian citizens, to leave the City of Tacna, in furtherance of the measures of hostility then directed against Peruvian



citizens; that on that account he was compelled to make the journey to La Paz, Republic of Bolivia, attended by some danger, since he was informed that he would be seriously assaulted and he was only able to avoid this through the interposition of the former British Consul, Clarence Elliot, who was the manager of the Arica-to-Tacna Railroad, where deponent was employed, in proof of which deponent attaches to this declaration the letter of advice and warning addressed to him by Mr. Elliot; that towards the middle of February, 1919, through the efforts of the same Mr. Clarence Elliot with the authorities, he was enabled to return to Tacna in the employ of the said company, remaining there until October, 1922, when the manager was transferred to Europe and was replaced by Mr. George Elliot who, complying with the suggestions of the Chilean authorities, dismissed deponent from his position owing to his Peruvian nationality, a method which was adopted with all the other employees of the same nationality; that he continued to reside in the City of Tacna, employed in different ways, until the first of last month when he was personally notified by the Deputy Police Commissioner, Enrique Vargas, to leave the city; that on the 4th of October, he took passage on the steamer *Cachapoal* for the Peruvian Port of Ilo, whence he continued on to Lima; that his family consists of his wife and 2 children under age, who have remained in Tacna but will be obliged to join deponent very shortly; that he owns 2 pieces of city real estate which are worth 13,000 pesos; that his losses amount to 4,000 pesos and his earnings which were 800 pesos a month; that it is true that the Chilean authorities have deported considerable numbers of Peruvian young men to points south of Arica; that on the 29th of September, last, at half-past seven at night, a special train from Tacna to Arica carried 120 young Peruvians who had been conscripted that day by the police agents under the orders of Manuel Barahona, and who were shipped from Arica to the South; that on days subsequent to the date mentioned above, about 200 men of all ages were taken, either in their homes, in the public streets or in the surrounding countryside, some of whom were taken in special trucks and others by the ordinary trains from Tacna to Arica, for the same purpose as the former batch, among whom he managed to distinguish Cirilo Davila and the employees of the bakery owned by Domingo Saravia, located on Baquedano Avenue; that in addition to the military service requirements which are applied with no distinction for age, Peruvians are grossly ill-treated in the streets

and in their domiciles, as happened with Carlos Cespedes and with Bustios; that no Peruvians may now sell their produce in the market place of Tacna; their places having been filled by Chilean citizens, while citizens of Peru cannot hope to engage in any commercial transaction of any kind, or find work which would allow them to remain in their native province; that witnesses to the above are Alberto Forero, Luis Zevallos, Antonio Chiarella, Arturo Vargas and all the recent deportees from Tacna and Arica; that the Collector of Revenue, Daniel Gandara, on one occasion informed him that the Intendente of Tacna, Luis Barcelo Lira, was endeavoring to secure his dismissal by the Government from the post he occupied because he declined to blindly serve the Chilenization designs of the authorities, by putting the blame on Peruvian citizens for the violences and persecution which were being carried out in Tacna; deponent further testified that he has heard it said that the Civil Register of Tacna is being tampered with, though he cannot state for what purpose; that his present address is Lima, Chirimoyo Street, No. 1352.

(Signed) JUSTO MARIN.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 119

In Lima, November 13, 1923, Leonidas Yanulaqui appeared, and after being duly sworn testified that: He is 28 years of age, married, a merchant, born in the Port of Arica which is his legal domicile and where he has resided all his life, inscribed in the Civil Register of the province but not in the Military Register of Chile, although the authorities have endeavored to compel him to do so; that during the month of October, 1923, he was summoned to appear before the Primary Court of Arica as a delinquent under the Law of Recruits and Substitutes, and so as to evade the necessity for serving in the Chilean army, and to put an end to the persecution directed against him, he determined to leave the territory on the 7th of the present month, taking passage on the steamer *Orita* for Callao; that his family consists of his wife and a daughter under age, who will shortly join deponent; that the damages suffered by deponent consist in the loss of his occupation and his share in his father's business to the extent of 10,000 pesos, as well as his earnings which were 600 pesos a month; that it is true that the Chilean authorities have interned many Peruvian citizens to the south, though he cannot say that they are all sent to Coquimbo,



while he knows that one of his father's clerks was interned in La Serena, a man by the name of Juan Samorano; that recently the Chilean authorities have forcibly deported Peruvian citizens to the nitrate provinces, deceiving them with promises of work, though the purpose was merely to secure their evacuation of Arica; that witnesses to the above are Santiago Nacarino, Juan Raffo, Rosendo Carrasco, José Portocarrero, Emilio Sal, and all the recent deportees from Arica; that his present address is Lima, Tarata Street, No. 251.

(Signed)

LEONIDAS YANULAQUI.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 120

In Lima, November 13, 1923, Julio Moreno appeared, and after being duly sworn testified that: He is 63 years of age, married, a teacher, born in the City of Tacna and legally domiciled in the City of Arica until the date of his expulsion; that in the month of July, 1910, he was notified by the Judge of Arica, Carlos Ibañez, to close the primary school which he conducted, notwithstanding the license which he held and which had been granted by the Governor of the province, Luis Arteaga, there being no reason for this measure other than the nationality of deponent; that police agents intervened in the actual closure of the institution and imposed on deponent a fine of 20 pesos which he was obliged to pay; that in addition to this arbitrary proceeding which deprived him of a profession which he honorably exercised to the satisfaction of the parents of his pupils, he was still persecuted in every attempt he made to find some employment to substitute the loss of his means of livelihood, to such an extent that he was eventually obliged to leave the city in that same month of July; that the above occurrences took place, more or less, at the time when all the Peruvian schools were closed, and when persons of Peruvian nationality were forbidden to engage in teaching, even when such teaching was carried on privately; that his family consists of his wife and 5 children who were, at the time, all under age, and who were obliged to follow deponent on his expulsion; that the losses incurred by deponent consist in the withdrawal of his means of subsistence which brought him in 300 pesos a month; that about a year more or less, after he was compelled to leave Arica, the Chilean authorities, in obedience to instructions from their Government, forcibly expelled the Peruvian ecclesiastics, as well as all the

men who earned their living as longshoremen and boatmen in the transportation of merchandise and passengers, from the steamers to the piers, while the Customs House agents of Peruvian nationality were likewise deprived of their permits, and were, in addition, absolutely forbidden to intervene in the usual customs formalities connected with their business; that witnesses to the above are Gerardo Vargas, Pedro Pescetto, José Carrasco, Gregorio Nacarino; that his present address is Lima, Santa Beatriz Street, School of Agriculture.

(Signed) J. MORENO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 121

In Lima, November 13, 1923, Emilio Salas appeared, and after being duly sworn testified that: He is 20 years of age, engaged in business, unmarried, born in Lima and legally domiciled in the City of Tacna from 1918 to the date of his expulsion, in possession of his baptismal certificate and not inscribed in the Military Register of Chile although the authorities endeavored to compel him to do so; that on the 9th of October, last, he was summoned before the Chief of the Secret Service, Manuel Barahona, who informed him that he would have to register in the Military Register and serve in the Chilean army, to which deponent replied that he was not obliged to do so, owing to his Peruvian nationality, whereupon he was ordered to leave the city within 5 days, at the end of which he took refuge in the house of the Prado family, remaining hidden there 8 days awaiting a favorable opportunity to leave the city, since he was fearful of the persecution he would have to suffer, and of being interned, as had taken place with other Peruvian citizens; that under these circumstances he was unfortunate enough to be apprehended and taken to the police headquarters where he found 17 young Peruvian citizens, of whom 8 were taken out that night for an unknown destination, while, on the following day, deponent and the remaining young men were taken to the Port of Arica, but upon the interposition of the Bolivian Consul, they were given passports and allowed to proceed to the Peruvian Port of Mollendo whence they eventually reached Lima; that his family consists of his two cousins, who, together with deponent, were expelled to Bolivia; that his losses include 500 pesos and his earnings which were 100 pesos a month; that it is true that the Chilean authorities have interned considerable



numbers of young Peruvian citizens, but exactly where, deponent is unable to state; among whom he knows of José Quelopana, Carlos Molina, Claudio Guiterrez, and Julio Mamani, the two latter from the districts of Nicaya and Pachia respectively, while in addition, he can testify to the murder at the hands of Chileans, of 2 of his fellow-countrymen called José Rosas Ramos and Edmundo Quintana. Deponent then refers to the following methods of persecution suffered by Peruvian citizens at the hands of the Chilean authorities, which have appeared in preceding affidavits such as the activities of the Chilean Patriotic League in the assaulting and attacking of the persons and domiciles of Peruvian citizens; the expulsion of the Peruvian holders of market stands and their substitution by Chilean citizens; the arbitrary price-fixing for the produce brought in to Tacna by Peruvian farmers, the trespassing of Chilean soldiers on the land belonging to Peruvian farmers and the carrying away of their produce, with the consequent attacks on the men and violation of the women, as well as the violation of the correspondence addressed to Peruvian citizens; that witnesses to the above are Leoncio Prado, Carlos Soto, Marcos Cruz, Emilio Lanchipa, Juan Berrios, Pedro Valdez and all the recent deportees from Tacna; that his present address is Lima, Leonas Street, No. 226. Deponent further testifies that the report was current in Tacna recently that many alterations were being made in the Civil Register in view of the recently arrived Chilean population so as to make it appear that these emigrants were denizens of the provinces.

(Signed)

EMILIO SALAS.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 122

In Lima, November 13, 1923, Juan Santiago Murillo appeared, and after being duly sworn testified that: He is 17 years of age, unmarried, a student, born in the Port of Arica which is his legal residence and where he has resided all his life, and inscribed in the Civil Register of the province; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on the 4th of October last, 1923, he was taken to police headquarters and informed by the Secret Service agent Valdez, that he would have to leave the port within 10 days because he was a Peruvian citizen and on that account had declined to register in the Military Register of Chile and serve in its

army, being thereupon compelled by threats to sign a document in which he declared he was leaving of his own free will; that upon being set free a few hours later in the custody of 2 police agents—who did not even allow him to make the necessary preparations for his journey—he took passage on the steamer *Orcoma* for the Peruvian Port of Mollendo, whence he eventually reached Lima; that his family consists of his father and 5 brothers under age who have been all expelled from Tacna to La Paz (Bolivia); that it is true that the Chilean authorities intern large numbers of Peruvian citizens. Deponent then recites the different measures of persecution employed against Peruvian citizens such as the frequent personal assaults and attacks on their domiciles by disorderly mobs comprising police and military officials; the protection afforded to all such attackers, the impediments put in the way of all Peruvians in the exercise of their professions or callings, and the arbitrary conscripting of Peruvian males irrespective of age; that witnesses to the above Emilio Salas, Mariano Guerra, Leonidas Yanulaqui, Marcos Cruz, Navarro, and many others; that his present address is Lima, Pescaderia Street. Deponent attaches to the present testimony the passport issued by the Bolivian Consul in Arica.

(Signed)	JUAN SANTIAGO MURILLO.
(Signed)	GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 123

In Lima, November 13, 1923, Mariano Guerra appeared, and after being duly sworn testified that: He is 39 years of age, married, a farmer, born in Tacna and legally domiciled in the Port of Arica for the last 20 years; that towards the end of October, 1923, he was taken to and detained in police headquarters in Arica by 2 police agents, and after being relieved of his money and personal belongings, locked in a cell where he remained for 24 hours, being subsequently set free and told that he would have to leave within 4 days for the nitrate fields of Iquique; that on the following day as a steamer happened to touch at Arica, he took advantage of this circumstance to stow away, and eventually reached Mollendo, whence he continued on to Lima; that his family consists of his wife and 3 children under age; that he was the lessee of a farm which he worked, having lost his harvest, owing to his precipitate departure, which he valued at 800 pesos as well as his income which was 200 pesos a month; that it is true that the Chilean authorities



have interned considerable numbers of Peruvian citizens, a fact to which he can testify, among others Domingo Collao and Juan Cornejo, as well as 2 others whose names he does not remember but who were detained with him in police headquarters, and who, on the morning when deponent was released, were shipped towards Coquimbo. Deponent then recites the different methods of persecution employed against Peruvian citizens such as the impediments put in their way to follow their professions or trades, the protection offered by the police to all cases of assault and attack committed by Chilean citizens, the arbitrary price-fixing of the produce brought into the city by Peruvian farmers, as well as the compulsion under which the latter labor to employ against their will, Chilean citizens on their land; the importation of numerous Chilean citizens and the indiscriminate conscripting of Peruvians of all ages for service in the Chilean army; that witnesses to the above are Teofilo Contreras, Pedro García, Enrique Cano, Leonidas Yanulaqui; that his present address is Callao. Deponent attaches to the present affidavit his identification card issued by the Chilean authorities.

(Signed)

MARIANO GUERRA.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 124

In Lima, November 13, 1923, José Victor Liendo appeared, and after being duly sworn testified that: He is 26 years of age, a widower, an electrician by trade, born in the City of Tacna and legally domiciled therein until the date of his expulsion, in possession of his baptismal certificate, inscribed in the Civil Register of the province but not in the Military Register of Chile, although the authorities endeavored to compel him to do so; that in the month of November, 1917, he was apprehended together with his brother, Aníbal P. Liendo, and taken to the "Rancagua" Regiment to be enrolled as a recruit for service therein, notwithstanding that both invoked their Peruvian nationality there-against; that upon steps being taken by their friends and owing to the fact that deponent was the sole support of his family, he secured his freedom, though his brother, Aníbal, was compelled to serve; that he continued residing in the City of Tacna, employed by the Electrical Company as chief of the electrical division, until January, 1922, when the manager, Aliro Rivero, informed him that he was dismissed, as well as other employees of Peruvian

nationality, owing to the orders communicated by the Intendency of the province, which had been received from the Chilean Government; that upon repeated petitions, he was able to remain a month longer, but that owing to the unbearable situation which had been brought about for deponent as well as other persons of his nationality, and under the continual and impending threats of having to serve in the Chilean army, deponent finally decided to leave on the 19th of March, for Lima; that his family consists of his mother, a young son and 2 brothers, all of whom were compelled to leave with deponent; that in common with his family he owned some city real estate in the City of Tacna worth 10,000 pesos; that the damage suffered by deponent consists in the loss of his position, which brought him in 385 pesos a month; that at the time of his expulsion, it was common report that the Chilean authorities had decided to intern all Peruvians in the Province of Coquimbo and he has subsequently heard that such as been the case. Deponent then recites the several measures of oppression and persecution undertaken by the Chilean authorities against Peruvian citizens; the activities of the Chilean Patriotic League and the excesses committed by it after each of its meetings; the expulsions decreed by the same League against all Peruvian citizens, as well as their orders to domestic and alien business firms to dismiss their Peruvian employees and replace them by Chileans brought to Tacna for the purpose, as well as the appointment, which was forced upon the stockholders of the Bank of Tacna (the majority of the capital of which is Peruvian), as Receiver in Bankruptcy of that institution, of Gustavo Blanlot, the well known partisan of Chilenization and one of the most zealous and violent agitators for the expulsion of Peruvian citizens; and finally, the abuses committed by Manuel Corvalon, as Water Delegate, in the allotting of the waters for agricultural purposes required by Peruvian farmers; that witnesses to the above are Edmundo Saravia, Jara Almonte, Arturo Vargas, Justo Marin and Julio and Alberto Forero; that his present residence is Lima, Espalda de Santa Clara Street, No. 477. Deponent attaches to the present deposition the testimonial of the Electric Company of Tacna for the 9 years efficient service and good conduct observed by deponent, as well as the passport issued to him by the Bolivian Consul in Arica.

(Signed)

JOSE V. LIENDO F.

(Signed)

GALLAGHER Y CANAVAL.



# AFFIDAVIT No. 125

In Lima, November 14, 1923, Emilio Lanchipa appeared, and after being duly sworn testified that: He is 18 years of age, unmarried, a student, born in the City of Tacna and legally domiciled therein since his birth, and inscribed in the Civil Register of the province; that on the 6th of October, 1923, the Secret Service Agent, Manuel Barahona, under orders of the Police Commissioner, Enrique Vargas, summoned him to appear and register in the Chilean Military Register, whereupon deponent stated that he could not do so owing to his Peruvian nationality, being informed thereupon by the said Police Agent that he would have to leave the City of Tacna within 8 days; that this order of expulsion was made to him personally, since his father, Eduardo Lanchipa, had previously been expelled by the Chilean authorities; that 5 days after having been notified, and so as to avoid the danger which he otherwise would incur through the disregard of such an order, he took passage on the steamer *Orcoma* from Arica to the Peruvian Port of Mollendo; that his family consists of his parents and 5 brothers under age, who are at present still in Tacna; that it is true that the Chilean authorities have deported considerable numbers of Peruvian citizens among whom he remembers Héctor Rejas, Manuel Montero, and Julio Flores, domiciled in the City of Tacna, who were arrested in the public streets by police agents. Deponent then recites the various measures of oppression and persecution carried out by the Chilean authorities against Peruvian citizens, such as the personal assaults, with no distinction for sex or age, by the soldiers of the army and police officials; the threats made to the students to compel them to adopt Chilean nationality, and mentioning as witnesses to the above, Marcos Cruz, Santiago Murillo, Zenon Soto, Emilio Salas and in general, all the recent deportees. Deponent attaches to the present testimony the passport issued to him by the Bolivian Consul in Arica; that his present address is Lima, Plaza Italia.

(Signed) E. LANCHIPA.

(Signed) GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 126

In Lima, November 14, 1923, Julio Giron B. appeared, and after being duly sworn testified that: He is 19 years of age, a clerk, unmarried, born in the City of Tacna and legally domiciled in the District of Pocollay until the date of his expulsion, and

inscribed in the Civil Register of the province; that the Chilean authorities endeavored to compel him to register in the Chilean Military Register but that he refused; that towards the middle of August, 1920, when following his courses in the Higher School No. 3, of the City of Tacna, police agents appeared, and notified deponent as well as several other young men, to appear at the Registrar's office to inscribe their names in the Chilean Military Register; that thereupon deponent at once informed his father of this fact, who, owing to this circumstance, and worn out by the constant persecution of which he had been the victim, decided there and then to leave Tacna and on the 17th of that same August, they together took passage on the steamer *Ebro* for Lima; that his family consists of his parents and 4 brothers under age, who have all been obliged to leave Tacna, owing to the conditions of violence which existed therein. Deponent then recites the different measures of oppression and persecution committed by the Chilean authorities and soldiery against Peruvian citizens; overrunning their farms and seizing their produce and cattle; the activities of the Patriotic League and the disorders consequent on their almost daily meetings, the threats of personal violence directed by it against Peruvian citizens; its decrees of expulsion and the pressure brought to bear upon students in the public schools of Chile, to cause them to change their nationality under threat of forbidding them access to the schools; that witnesses to the above are: Emilio Lanchipa, Demetrio Pimentel, Emilio Salas, Alejandro Alba and Juan Figueroa; that his present address is Lima, Cajamarca Street, No. 357.

(Signed)

JULIO A. GIRON B.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 127

In Lima, November 14, 1923, Pedro José Valdez appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, a typesetter by trade, born in the City of Tacna and legally domiciled in Pachia, Province of Tacna, in possession of his baptismal certificate and registered in the Civil Register of the province; that on the 6th of July, 1923, he was notified by the Sub-Delegate of Pachia to appear in the Primary Court of Tacna before Judge Lamberto Caro, and upon being interrogated respecting his non-registration, stated that he was a Peruvian citizen, deponent then signing the declaration to this effect, drafted by



the Judge; that on the 10th of August last, he was notified by the Clerk of the Court of the verdict which sentenced him to 60 days' imprisonment and 2 years' compulsory service in the Chilean army, as well as to the costs of the case of which he paid 9 pesos, no copy of the sentence and no receipt for the money paid having been given him, and that before the sentence could be carried out, and so as to avoid the consequences thereof, deponent decided to take passage on the steamer *Oriana* for Lima; that his family consists of his father and 2 brothers over age, who are still in Pachia, excepting his brother Alberto, who is in Lima, after having been expelled by the Chilean authorities; that he is the owner of a farm in Pachia worth 4,500 pesos, which has been left in the care of his father; that he estimates his losses to be 1,000 pesos and his income which was 300 pesos a month; that he can testify to the truth of the deportation of Peruvian citizens, among whom he remembers the cases of Chipana and Florez from Pachia, and Carlos Molina, Quintana and Arias, denizens of Tacna. Deponent then recites the various measures of oppression and persecution committed by the Chilean authorities against Peruvian citizens, such as conscription for the Chilean army; violation of domiciles; the apprehension of alleged delinquents; the personal assaults against the residents of the provinces to make them divulge the hiding places of the suspects; the arbitrary withholding from the Peruvian farmers by the Water Delegate, Manuel Corvalon, of the necessary water for their crops; that witnesses to the above are Luis Zevallos, Pedro and Julio Rejas, José Humire, José Zaldivar, Manuel Espejo and many others. Deponent further testifies that the abuses have reached the point when the Chilean authorities on the 11th of last month, took advantage of the fact of the funeral of Eleodora de Rejas, in the town of Pachia, to capture several young men who were following the profession, sending them as conscripts to the army, among whom he remembers Federico Masuelos, Humberto and Timoteo Rejas, and Guillermo Melendez, and many others who were accompanying the body, an action which caused a general panic among the mourners, the Inspector Canales and other police agents having staged this raid. Deponent attaches hereto the passport issued to him by the Bolivian Consul in Arica, and gives his present residence as Lima, Santa Ana Street.

(Signed) PEDRO JOSÉ VALDEZ.

(Signed) GALLAGHER Y CANAVAL.

AFFIDAVIT No. 128

In Lima, November 14, 1923, Juan Liendo appeared, and after being duly sworn testified that: He is 30 years of age, a laborer, unmarried, born in the City of Tacna, which is his legal domicile and where he has resided all his life; inscribed in the Civil Register of the province and in the Military Register of Peru; that at the beginning of March, 1922, he was notified by the Prefect of Police, Florentino Herrera, that he was expelled from the City of Tacna, which he then left in company with his brother Victor, and other members of his family for no other reason than that of his Peruvian nationality, for at the time the persecution exercised against the denizens of the provinces was unlimited, and so severe that it could not be borne, as had already happened in 1917, when his brother Anibal, though only 17 years of age at the time, was arrested and compelled to serve in the Rancagua Regiment, notwithstanding the protests of his family respecting his Peruvian nationality; that his family consists of his mother and 2 brothers; that it is true that the Chilean authorities have deported numerous Peruvian citizens among whom he can mention the cases of José Quelopana and Carlos Molina. Deponent then recites the several instances of oppression and persecution committed by the Chilean authorities, such as the assaults in the public thoroughfares and the attacks and looting of domiciles and places of business belonging to Peruvian citizens by soldiers of the army and police officers, and the excesses committed by them in the course of such attacks; and also the requirement exacted from all business firms to dismiss their Peruvian employees, thus preventing them from earning their livelihood; that witnesses to the above are Pedro José Valdez, Pedro Vasquez and Rodelfo Villena. Deponent attaches hereto the passport furnished him by the Bolivian Consul in Arica and gives as his present residence, Lima, Espalda de Santa Clara Street, No. 471.

(Signed) JUAN LIENDO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 129

In Lima, November 15, 1923, Maximiliano Velasquez appeared, and after being duly sworn testified that: He is 36 years of age, married, a baker by trade, born in the City of Tacna and legally domiciled in the Port of Arica since 1919, and previous to that in the City of Tacna, and in possession of his baptismal certificate;



that on the 10th of October, 1923, the Police Agent, Valdez, conducted him to the Prefecture where the officer on guard, Domingo Palmas, gave him 3 days to prepare for deportation to the nitrate fields of Iquique, on account of his presence being distasteful to the authorities owing to his Peruvian nationality, deponent being detained 2 days; that upon being set at liberty he proceeded to sell his personal effects and took passage on the steamer *Ebro* for Mollendo through the assistance of the Bolivian Consul who gave him a passport and afforded him considerable assistance; that his family consists of his wife and a child under age, who followed him in his expulsion; that the damage suffered consists in the loss of his occupation which brought him in 12 pesos a day; that it is true that the Chilean authorities have interned large numbers of Peruvian citizens to the south of Arica, and that when he was detained at police headquarters he met his friends, also bakers, called Leandro Contreras, Tomas Castro and Manuel Delgado, who were deported and from whom he has had no news. Deponent then recites the various acts of oppression and persecution committed by the Chilean authorities so as to secure the evacuation of the territory by the Peruvian population, such as the public and unprovoked assaults by the soldiery and police authorities; the arbitrary arrests; the notifications to business firms to dismiss their Peruvian employees and substitute them by Chileans, as happened in the baking trade, which dismissed all its employees of Peruvian nationality, owing to which deponent was out of work for 5 months before he was eventually compelled to leave Arica; that witnesses to the above are Murillo, Yanulaqui, and Ernesto Cano. Deponent attaches to the present testimony the passport issued to him by the Bolivian Consul in Arica, and gives his present residence as Lima, Santa Ana Street.

(Signed) MAXIMILIANO VELASQUEZ.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 130

In Lima, November 15, 1923, Pedro Delgado appeared, and after being duly sworn testified that: He is 21 years of age, a farmer, unmarried, born in the City of Tacna and legally domiciled in Pachia, Province of Tacna, inscribed in the Civil Register of the province and in the Military Register of Peru; that on the 1st of October, 1923, he was summoned by police agents to appear before the Court of Tacna, as a delinquent under the Law of



Recruits and Substitutes, and as bands of police officials were scouring the surrounding countryside, taking all his fellow-countrymen prisoners for service in the Chilean army, and owing to the fact that he was a Peruvian citizen and that it was known that he had gone to Peru to effect his military service at the proper time, he was fearful of the consequences which his further residence in the town would imply, so that a few days after being summoned, and together with several other friends who were fleeing for the same motive, he proceeded to the provisional frontier at Sama and eventually reached Lima; that his family consists of his mother and 2 brothers under age; that it is true that the Chilean authorities have deported large numbers of Peruvian citizens to the South of Chile. Deponent then recites the various acts of oppression and persecution committed against persons of Peruvian nationality by the civil and police authorities and by the soldiery; the trespassing of these latter over the farms for the purpose of appropriating the produce thereof and the immunity which all such abuses obtain on the part of the authorities; the arbitrary price-fixing of the produce brought in to the markets by Peruvian farmers, and the expulsion of the former stand-holders and their substitution by persons of Chilean nationality; that witnesses to the above are Justo Marin, Alberto Forero, Mariano Laura, Raul Diaz and many others; that his present address is Lima, Santa Ana Street.

(Signed)

PEDRO DELGADO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 131

In Lima, November 15, 1923, Demetrio Pimentel appeared, and after being duly sworn testified that: He is 33 years of age, unmarried, a carpenter by trade, born in Arica which is his legal residence and where he has resided all his life, with the exception of 3 years when he was in Lima, and inscribed in the Civil Register of the province; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that in the month of October, 1923, upon being summoned to the Prefecture of Police of Arica, he was given 6 days within which to leave the port for no other reason than that of his Peruvian nationality; that before this time had elapsed deponent took passage on the steamer *Orcoma* for Mollendo, since he was well



aware that he would be interned in Coquimbo in case he delayed complying with the order of expulsion; that the Prefect, Valdez, wished to compel him to sign some document, but as the contents were not read to him he refused to sign it; that owing to his residence in the Port of Arica he was able on several occasions to notice the sailing of bands of Peruvian citizens who were being shipped South, and who protested against this measure on account of their Peruvian nationality. Deponent then recites the many cases of oppression and persecution committed against Peruvian citizens such as the expulsion of the holders of the market stands and their substitution by persons of Chilean nationality; the complete absence of all guarantees of safety for Peruvian citizens, and the protection afforded by the police to the disorderly characters who committed such abuses; the arbitrary conscription of young Peruvians and their forced inscription in the Military Register; that witnesses to the above are Emilio Salas, Solis, Albarracin and in general, all the residents of Arica; that his present address is Lima, Pescaderia Street.

(Signed) DEMETRIO PIMENTEL.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 132

In Lima, November 15, 1923, Julio S. Soto appeared, and after being duly sworn testified that: He is 23 years of age, a clerk by occupation, unmarried, born in the City of Tacna which is his legal residence and where he has resided all his life, inscribed in the Civil Register of the province and in the Military Register of Peru; that towards the end of 1918, he was taken to the Rancagua Regiment in Tacna by the official, Ahumada, to compel him to serve in the Chilean army, notwithstanding the presentation of his exemption certificate from the Peruvian army, which was wrested from him and destroyed by the Commander, Alberto Sepulveda, but that as deponent could prove that he was then only 18 years of age, he was set free, but informed that he would have to register now so as to serve in 1919; that towards the middle of the year, so as to avoid the hostilities and the abuses which he suffered in common with other Peruvians, and so as to avoid serving in the Chilean army, he decided to leave the territory and proceeded to Oruro (Bolivia) in July, 1919; that his family consists of his mother and 4 brothers, of whom the first and 2 of the latter are still in Tacna; that in common with his family he owns 4 pieces of real estate in Tacna.

Deponent then recites the several well-known cases of oppression and persecution committed by the civil and police authorities of Chile, and the Chilean soldiery against Peruvian citizens, for the purpose of compelling them to evacuate the territory; the assaults and attacks on the persons and homes of Peruvian citizens which go unpunished; the marking of the houses for destruction, and the lootings of business houses; that witnesses to the above are Carlos Guillermo MacLean, Alberto Forero, Justo Marin and Pedro Valdez; that his present address is Lima, University Street.

(Signed) JULIO S. SOTO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 133

In Lima, November 15, 1923, Leocadio Prado Marino appeared, and after being duly sworn testified that: He is 21 years of age, a clerk by occupation, unmarried, born in the City of Tacna which is his legal residence and where he has resided until the day of his expulsion, and inscribed in the Civil Register of the province; that in the month of July, 1923, he was summoned to appear before the Court of Tacna to show cause why he had failed to register in the Chilean Military Register, deponent declaring to Judge Lamberto Caro that he had not done so owing to his Peruvian nationality, he was then informed by the Judge that he would be proceeded against as a delinquent under the Law of Recruits and Substitutes, but that before sentence was pronounced against him, the Chief of the Secret Service, Manuel Barahona, notified him that he would have to leave the City of Tacna; that in view of the above, and seeing that all of his fellow-countrymen who were in the same condition as he, were being conscripted and shipped to the South of Arica while others fled to the Peruvian frontier of Sama pursued by the Chilean authorities, he decided to fulfill the order of expulsion, taking passage on the steamer *Orcoma* for Mollendo, whence he eventually reached Lima; that his family consists of 3 brothers of whom 2 are under age, and who have remained in the City of Tacna; that his losses consist of his earnings which were 300 pesos a month; that it is true that the Chilean authorities have deported considerable numbers of Peruvian citizens, among whom he personally knows of the cases of Carlos Molina, José Quelopana, Maximiliano Sanchez, Ramon Mejias, Napoleon Arce and José Rosas Ramos, all denizens of Tacna. Deponent then recites the several cases of oppression and persecution committed by the



civil and police authorities and by the soldiery against the Peruvian population, such as the molestations and assaults in the public streets with no distinction for sex or age; of the notifications issued to all business firms to dismiss their Peruvian employees and substitute them by others of Chilean nationality; of the prohibition to Peruvian citizens to effect any commercial transactions with the Peruvian portion of the territory of Tacna and Tarata, the merchants thereof being deprived of their merchandise and pack animals, and themselves arrested and deported to the Province of Coquimbo, as well as the violation of all correspondence addressed to Peruvian citizens in the post offices of Tacna and Arica; that witnesses to the above are Alberto and Dante Vargas, Alfredo Soto, Edmundo Saravia, Emilio Lanchipa and many others; that his present address is Lima, Marañon Street, No. 440.

(Signed) LEOCADIO PRADO M.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 134

In Lima, November 16, 1923, Carlos Soto appeared, and after being duly sworn testified that: He is 22 years of age, a barber by trade, unmarried, born in the City of Tacna, which is his legal residence and where he has resided all his life, and in possession of his baptismal certificate; that on the 10th of October, 1923, fearful of the reprisals which were being carried out by the Chilean authorities with regard to his fellow-countrymen, and knowing, in addition, that he was being actively sought by the authorities so as to conscript him for service in the Chilean army, a circumstance which was highly repugnant to his patriotic feelings as a Peruvian citizen, he decided to take passage for Callao, together with his brother Alfredo and several other fellow-countrymen, on the steamer *Orcoma*; that his family consists of his parents and 3 brothers, the former of whom, and one brother, are still in Tacna but are shortly about to leave for this city; that the damages suffered by deponent consist in the loss of his occupation which brought him in 200 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian youth from the districts of Tacna, among whom he knows of the case of José Quelopana, a denizen of the City of Tacna; deponent then recites the various cases of oppression and persecution committed by the Chilean authorities against Peruvian citizens, such as notifying the alien and domestic business firms to dismiss



their Peruvian employees, and substitute them by others of Chilean nationality; the arbitrary arrests in the public thoroughfares of law-abiding Peruvians, their incarceration in police headquarters and subsequent forcible deportation to points unknown to their friends and relatives; that witnesses to the above are Alfredo Soto, Guillermo Liendo, Lorenzo Gonzales and all the recent deportees from Tacna. Deponent attaches to the present testimony the vaccination certificate issued to him by the Chilean authorities which bears the stamp of the Arica Agency of the Pacific Steam Navigation Company under date October 9. Deponent states that his present address is Lima, Pescaderia Street.

(Signed) CARLOS SOTO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 135

In Lima, November 16, 1923, Cruz Marcos appeared, and after being duly sworn testified that: He is 18 years of age, unmarried, a student, born in the City of Tacna which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate and inscribed in the Civil Register of the Province; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on the 2nd of October, 1923, he was notified by the Secret Service Agent, Manuel Barahona, to appear within 15 days to register in the Chilean Military Register and effect his compulsory military service in the Chilean army; that as this was highly repugnant to his patriotic feelings as a Peruvian citizen, and further aware that he would be arrested as a delinquent under the Law of Recruits and Substitutes and compelled to serve in said army, as was daily occurring with others of his fellow-citizens, and so as to avoid an abuse of this nature, he decided to leave Tacna, sailing on the 10th of October on the steamer *Orcoma* for the Peruvian Port of Mollendo, whence he eventually reached Lima; that his family consists of his parents and 4 brothers, 3 of whom are under age, and all of them in great distress through the persecution directed against them by the Chilean authorities; that it is true that these authorities have deported considerable numbers of Peruvian youth from Tacna and Arica, among whom he knows of the cases of David Chipana, Manuel Calderon and many others whose names he does not recall, owing to the fact



that they belonged to the outlying districts, the 2 he had mentioned belonging to the Valley of Pachia. Deponent then recites the various measures of oppression and persecution undertaken by the Chilean authorities against Peruvian citizens such as withdrawing from them every guarantee of safety and failing to punish the persons responsible for assaults against their persons and property. Deponent attaches to the present testimony his vaccination certificate issued by the Chilean authorities, which bears the stamp of the Arica Agency of the Pacific Steam Navigation Company, under date October 10, as well as the passport issued to him on that same date by the Bolivian Consul in Arica. Deponent gives as witnesses to the above deposition, Manuel Espejo, Emilio Lanchipa, Dante and Alberto Vargas, as well as all the recent deportees; that his present address is Lima, Pascaderia Street.

(Signed) CRUZ MARCOS.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 136

In Lima, November 17, 1923, Alfredo Soto appeared, and after being duly sworn testified that: He is 20 years of age, unmarried, a clerk by occupation, born in the City of Tacna which is his legal domicile and where he has resided all his life; in possession of his baptismal certificate and inscribed in the Civil Register of the province; that on the 17th of August, 1923, he was summoned to appear in the Court of Tacna before Judge Lamberto Caro and testified that he had not inscribed in the Chilean Military Register because he was a Peruvian citizen and did not consider himself as liable for such service, a deposition which was drafted by the Judge and signed by deponent; that on the 10th of September, last, he was notified respecting the verdict of the said Court which sentenced him to 60 days' imprisonment and 2 years' compulsory service in the army, and to the payment of 18 pesos costs in the case, a copy of the sentence being denied him; that he appealed to the Court of Iquique, and taking advantage of this delay, and to avoid the consequences of the sentence which would be rendered against him as a delinquent under the Law of Recruits and Substitutes, he took passage on the 10th of October last on the steamer *Orcoma* for Mollendo, and thence to Lima; that his family consists of his parents and 3 brothers, one of whom is under age, and who are still in Tacna but who will

shortly leave, owing to the persecution suffered by them; that the damage done to deponent consists in the loss of his occupation which brought him in 600 pesos a month; that it is true that the Chilean authorities have deported considerable numbers of Peruvian youth, deponent having personally witnessed the shipment of several contingents, among which he recognized Carlos Molina, José Quelopana, Benedicto Quintana, a mute, and many others whose names he does not remember. Deponent then recites the several measures of oppression and persecution carried out by Chilean authorities against the Peruvian citizens, such as their apprehension in the public thoroughfares and forcible conscription for service in the Chilean army; the unceasing assaults against their persons and attacks against their residences, instances of which are those perpetrated against Ostolaza and Cespedes, as well as all the other measures put in practice to compel the evacuation of the territories by their lawful denizens; that witnesses to the above are Alberto and Dante Vargas, Carlos Soto, Victor Rueda and in general, all the recent deportees from Tacna; that his present address is Lima, Santa Ana Street.

(Signed) ALFREDO SOTO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 137

In Lima, November 19, 1923, Fermin Perez appeared, and after being duly sworn testified that: He is 33 years of age, unmarried, a pastry cook by trade, born in the City of Tacna and legally domiciled in the Port of Arica; that on the 20th of December, 1919, he was informed that he was about to be conscripted into the Chilean army, as several of his fellow-countrymen already had been, and as he had been suffering ceaseless persecution at the hands of the authorities in the carrying out of his business, which was the case with all Peruvian citizens residing in the Port of Arica, he was compelled eventually to leave on the steamer *Aysen* for Callao; that his family consists of 2 brothers, one of whom is in Bolivia, and the other still in Tacna; that his damages consist in the loss of his business, which was that of a confectioner in Arica worth 5,000 pesos, all of which was entirely lost owing to his precipitate departure, as well as his earnings which were 400 pesos a month. Deponent then recites the different measures of oppression and persecution put in practice by the Chilean authorities and directed against Peruvian denizens, such as the



immunity granted to the disorderly characters of the port, directed by the Chilean Patriotic League, in the numerous cases of assault of Peruvians and attacking and looting of their residences and places of business, as occurred in the case of Antonio Solari, a neighbor of his, as well as to deponent's own place of business; that witnesses to the above are Manuel Lacunza, Juan Linares, Luis Beteta, José Yanulaque, Victor Soto, Guillermo Klinge and in general, all the residents of Arica; that his present address is Lima, Sandia Street, No. 246.

(Signed)

FERMIN PEREZ.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 138

In Lima, November 20, 1923, Federico Corta Vitarte Saona appeared, and after being duly sworn testified that: He is 25 years of age, married, a clerk by occupation, born in Tacna and legally domiciled in the Port of Arica since 1918, and previous to that in the City of Tacna; inscribed in the Civil Register of the province and in the Military Register of Peru; that in the month of December, 1919, Alfredo Raiteri, representing the Chilean Patriotic League of Arica, personally notified deponent, when in that port, to leave the city within 8 days because he was a Peruvian citizen; that upon deponent demurring to the carrying out of this order, he experienced so many persecutions and was exposed to such hostility that he was eventually compelled to make preparations for departure, especially as he heard that it had been decided to apprehend him and expel him by force. Deponent therefore decided to leave for Bolivia, which he did by the Arica-La Paz railroad in January, 1920; that his family consists of his wife, his mother and 4 brothers, 3 of whom are under age, and all of whom were obliged to leave the territory owing to the persecution directed against them; that deponent assesses his losses at 2,000 pesos, and his earnings which were 300 pesos a month. Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as the forcible conscription of these for service in the Chilean army giving as an instance thereof, his apprehension in 1917, together with hundreds of young Peruvians and their detention at police headquarters, having secured their liberty only after considerable difficulty and after having made use of every possible influence towards this end; the frequent meetings of the Chilean



Patriotic League and the acts of violence against the persons and interests of Peruvian citizens which were a corollary to these; the trespassing of the soldiery on the farms of Peruvian citizens and the seizure of their crops and cattle, and the immunity granted by the police and civil authorities to the perpetrators of these abuses. Deponent gives as witnesses to the above Juan José Vildoso, Manuel Alay, Julio Forero, Carlos Victor Gil, Alberto Valdez and Jorge Filanson, Consul of the United States and of Belgium in the Port of Arica; that his present address is Lima, Apurimac Street, No. 10740.

(Signed)

F. CORTA VITARTE S.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 139

In Lima, November 20, 1923, Saturnino Maturana appeared, and after being duly sworn testified that: He is 35 years of age, a carpenter by trade, married, born in the Port of Arica which is his legal domicile and where he has resided all his life and inscribed in the Military Register of Peru; that on the 23rd of December, 1918, owing to the hostilities which, at that time, were undertaken by the Chilean authorities against Peruvian citizens, deponent was the victim of an attack against the undertaking establishment which he owned, and suffered the complete destruction of the fishing boat which was his property, being compelled, on account of these circumstances, to liquidate his business at considerable loss, and thereupon engaged in the sale of fruit between Arica and Tacna up to the 15th of October, 1920, when the persecution against Peruvian citizens was again intensified, to avoid the consequences thereof, but especially to avoid being conscripted in the Chilean army with which he had been threatened, he decided to leave everything and take passage on the steamer *Ortega* for the Peruvian Port of Mollendo; that his family consists of his wife, his parents and a daughter under age, who were all obliged to follow him; that his losses, due to the above circumstances, were 7,000 pesos, as well as his earnings which were 500 pesos a month. Deponent then recites the several cases of oppression and persecution instituted against Peruvian citizens by the Chilean authorities such as the continual and daily threats; assaults against their persons and attacks against their residences and places of business, instigated and carried out by the Chilean Patriotic League with the connivance of the police authorities;



the forcible conscription into the Chilean army, notwithstanding their Peruvian nationality, as well as the personal violence offered against the following gentlemen, of which deponent was a witness: Adrian Ward, Pantaleon Alcazar, Carmelo Caceres, Vicencio Taro, Juan Wor, Luis Beretta, Juan José Vidal, Adrian Gonzales, Roberto Carrasco, Juan de Dios Ulloa, and many others; that witnesses to the above are Raul Rey, Benigno García, Asencio Santana, Murillo, Manuel Lacunza, and Juan de Dios Ulloa. Deponent attaches to the present deposition his ledger upon which appears the certificate of examination issued by the office of the Governor of Arica, under date the first of July, 1919, together with the necessary revenue stamps which prove the veracity of deponent's testimony with regard to the business he was conducting. Deponent gives his present address as Callao, Guise Street, No. 131.

(Signed) SATURNINO MATURANA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 140

In Lima, November 20, 1923, Eborcio Bernales appeared, and after being duly sworn testified that: He is 25 years of age, married, a truckman by occupation, born in Pisco and legally domiciled in Tacna since 1915; that in October, 1923, a police officer called Solis, notified him in the name of the Prefect of Police, that he would have to leave the City of Tacna within 24 hours, owing to his Peruvian nationality, but that before the expiration of this time, having witnessed several arrests and shipments of young men to the south of Arica and being fearful of the same fate overtaking him in case he should delay in complying with these orders, deponent at once decided to leave for the provisional frontier of Sama, together with Salomon Alfaro; that his family consists of his wife and a son under age, who were compelled to follow deponent to the frontier overland; that the damage suffered by deponent consists in the loss of his occupation and his earnings which were 5 pesos a day; that it is true that the Chilean authorities have interned considerable numbers of young Peruvians, among whom he can mention the specific cases of Antonio and José Cano, Ismael Montero, Eusebio Vizcarra, and many others whose names he does not know, being merely acquainted with their nicknames, all denizens of the City of Tacna, and who were apprehended either in their homes, at their work or in the public

thoroughfares. Deponent then recites the several instances of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as the aggressions and attacks committed by public officials, by the soldiery and police authorities; the apprehension of law-abiding Peruvian citizens in their homes, and their forcible conscription for service in the Chilean army; the wholesale arrests and deportations effected by these same authorities, and the consequent condition of perpetual alarm suffered by the civilian population. Deponent attaches to the present deposition his identification card issued by the Chilean authorities, and mentions as witnesses to the above Facundo Vizcarra, Salomon Alfaro, Luis Vargas, Felix Luna and Humberto Castillo; that his present address is Lima, Santa Ana Street.

(Signed) EBORCIO BERNALES.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 141

In Lima, November 21, 1923, Manuel Alay y Rejas appeared, and after being duly sworn testified that: He is 39 years of age, married, a shoemaker by trade, born in the City of Tacna, which is his legal domicile and where he has resided all his life, and in possession of his baptismal certificate; that on the 28th of October, 1923, the Secret Service Agent, Manuel Barahona, in company with an agent called Soto, appeared at deponent's house for the purpose of arresting him and taking him to police headquarters because deponent was among those who had been designated for service in the Chilean army, notwithstanding his Peruvian nationality, but deponent managed to evade the police and went into hiding in the countryside, and aware that on 2 former occasions the authorities had endeavored to arrest him, he decided that it would be better to make for the Peruvian frontier of Sama without loss of time, which he, in fact, did on the 13th of the present month; that his family consists of his wife and 3 children under age, who have remained in Tacna but who are shortly to join deponent in this city; that he is the owner of a piece of real estate in the Callao district of the City of Tacna, which he has been compelled to abandon, estimating his losses in 1500 pesos, as well as his earnings which were 300 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian youth, though exactly where deponent is unable to state; but as deponent's home was close to the Tacna-Arica



Railroad, he was able, on numberless occasions, to notice the passage of trains and trucks laden with Peruvian citizens who were being taken for deportation to the Port of Arica, having noticed on these occasions, the cases of Pedro Palza, Victor Cortez, Andres Flores and Ramos which latter, while in the Port of Arica, and upon being forcibly put aboard, jumped into the sea and was drowned. Deponent then recites the several instances of oppression and persecution committed by the Chilean authorities against law-abiding Peruvian citizens such as the overrunning of the city and the farms of the countryside by police agents, assaulting them and taking possession of their crops and belongings, violating the women and committing every manner of abuse; the arbitrary appropriation of the waters of the Uchusuma and Caplina Rivers for the use of a sugar refinery established by the Chilean authorities; the illegal taxation of the Peruvian communities and the exaction of payment by these for public works which are never undertaken; the disregard by the authorities of the complaints made by Peruvian citizens against cases of assault and abuse and theft; the activities of Manuel Corvalon and Fernando Perez, respectively Treasurer and Mayor of Tacna, in connection with the distribution of the water supply, and their appointment as Water Delegates to the detriment of the interests and against the wishes of the community, with regard to which latter deponent can specially testify, since he worked a farm in the Silpay Pass in the vicinity of Tacna; that witnesses to the above are José Sanchez, Alfredo Rueda, José Castillo, the Vargas brothers, Oscar Caceres, Eduardo Carballo and Felix Luna; that his present address is Callao, Guise Street, No. 331.

(Signed) MANUEL ALAY.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 142

In Lima, November 21, 1923, Artidoro Rejas appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, a farmer, born in Pachia, a district of the Province of Tacna which is his legal domicile and where he has resided all his life and inscribed in the Civil Register of the province; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on the 4th of October, 1923, police agents reached Pachia in the early hours of the morning for the purpose of conscripting young men of the town, search-



ing for them in their homes, and when access to these was denied, breaking into them, many young men going into hiding as a consequence, while numerous others were arrested and placed on trucks and sent to police headquarters in Arica; that after the departure of the police, deponent and his companions came out of hiding and at once undertook the journey overland to the provisional frontier of Sama; that his family consists of his parents and 3 brothers under age, who are still in Pachia; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens, among whom he knows of the cases of Grimaldo Coaila, Polo Rodriguez, David Chicana, and Héctor Rejas, all of Pachia, who were forcibly seized in their homes. Deponent then recites the different measures of oppression and persecution instituted by the Chilean authorities against law-abiding Peruvian citizens such as the imposition of arbitrary and illegal fines; the trespassing by the civil authorities and the soldiery on the farms belonging to Peruvians, and the appropriating of their produce and cattle; of the forcible conscripting of Peruvian citizens in the Chilean army and of the continual abuse and assaults directed against all Peruvian citizens by persons of Chilean nationality, and the immunity enjoyed by these notwithstanding such conduct. Deponent attaches to the present deposition his vaccination certificate issued by the Chilean authorities, and states in addition, that on reaching the provisional frontier of Sama, the Chilean carbineers took possession of his identification card and passport; that his present address is Lima, Sacramento de Santa Ana Street.

(Signed)

ARTIDORO REJAS V.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 143

In Lima, November 21, 1923, Luis Vargas appeared, and after being duly sworn testified that: He is 20 years of age, unmarried, a farmer, born in the district of Pachia, Province of Tacna, and legally domiciled therein, and inscribed in the Civil Register of Pachia; that at 7 A. M. on the 4th of October, 1923, he was summoned by the Corporal, Cortez, upon orders of the officer, Canales, to appear at police headquarters in Pachia, owing to his delinquency under the Law of Recruits and Substitutes; that deponent signified his willingness to appear but took advantage of this opportunity to go into hiding, for he noticed that several



of his friends were being apprehended; that he remained in hiding for 13 days, in the hope that conditions would change, but instead of diminishing, the abuses only increased in violence so that, fearing to be discovered, he left on the 17th of that same month for the Peruvian frontier of Sama; that his family consists of his parents and 8 brothers under age, with the exception of 2 who have been expelled and who are in this city; that it is true that the Chilean authorities have interned numbers of Peruvian citizens among whom he knows of the cases of Grimaldo Coaila, David Chicana, Héctor Rejas, Polo Rodriguez, all of them from Pachia. Deponent then recites the various measures of oppression and persecution put into practice by the Chilean authorities against law-abiding Peruvian citizens of Pachia, such as their arrest and torture at police headquarters and the exaction of heavy fines to secure their liberty; the payment of excessive and illegal taxes; the raiding of the homes and the seizing of everything which they desire to carry away, a practice pursued in the farms as well; the payment of street-cleaning and road-repairing taxes and in addition, the obligation enjoined on the inhabitants, in addition to having paid these taxes, to give their services for the said street-cleaning and repairing of roads; and finally, the forcible conscripting for service in the Chilean army and internment south of Arica; that witnesses to the above are Carlos Gil, Dagoberto Vildoso, Francisco Peralta, Fabio Quelopana, Alberto Rosario Valdez; that his present address is Lima, Sacramento de Santa Ana Street.

(Signed)

LUIS VARGAS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 144

In Lima, November 21, 1923, Hérnan Aquiles Vargas appeared, and after being duly sworn testified that: He is 18 years of age, unmarried, a farmer, born in Pachia which is his legal domicile and where he has resided all his life, and inscribed in the Civil Register of Pachia; that on the 7th of October, 1923, the police officer Canales appeared at the residence of deponent to summon him to appear before Judge Lamberto Caro, owing to his delinquency under the Law of Recruits and Substitutes; but fearful of the violent measures adopted by the Court with regard to all such delinquents, he went into hiding and on the 17th of October left Pachia for the provisional frontier of Sama; that his family

consists of his parents and 8 brothers of whom 6 are under age; that his brother, Manuel Angel, 24 years of age, was compelled to leave Pachia 6 months ago on account of the persecution of the authorities, while his brother Luis, who left together with deponent, had to leave his home for the same reason and under the same circumstances; that it is true that the Chilean authorities have deported large numbers of Peruvian citizens, among whom he can mention Héctor Rejas, Hipolito Rodriguez, Augusto Palza, Manuel Calderon, David Chipana, of whom no news has ever reached their friends; that Peruvian citizens are arrested and imprisoned, for no motive whatsoever, and while under arrest, are the victims of the cruellest punishment; that witnesses to the above are Carlos Gil, Alberto Valdez, Artidoro Rejas and Fabio Quelopana; that his present address is Lima, Republican Guard Regiment Barracks, Sacramento Santa Ana Street. Deponent attaches to the present deposition his vaccination certificate issued by the Chilean authorities.

(Signed) H. A. VARGAS.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 145

In Lima, November 22, 1923, Dagoberto Vildoso appeared, and after being duly sworn testified that: He is 18 years of age, unmarried, a farmer, born in Pachia which is his legal residence and where he has lived all his life; inscribed in the Civil Register of the province and under compulsion in the Military Register of Chile; that on the 4th of October, 1923, a police officer called twice at deponent's domicile for the purpose of compelling him to effect his military service, but that he managed to escape arrest and proceeded towards the frontier of Sama; that his family consists of his mother and seven brothers, of whom 4 are under age; and who have all remained in Tacna; that the cases of deportation of which he is personally cognizant are those of Grimaldo Coaila, Manuel Calderon and José Rosas Flores, who were taken to Arica and shipped south, no news ever having been received from them or any knowledge as to their whereabouts; that Peruvians are continually assaulted in the public streets and apprehended and confined in police headquarters, while correspondence addressed to Peruvian citizens is habitually violated in the post offices; that witnesses to the above are Carlos Gil, Artidoro Rejas and Luis Vargas. Deponent attaches to the



present testimony, the vaccination certificate issued to him by the Chilean authorities and gives his present residence in Lima as the Barracks of the Republican Guard.

(Signed) D. VILDOSO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 146

In Lima, November 22, 1923, Federico Rueda Carrion appeared, and after being duly sworn testified that: He is 33 years of age, unmarried, a painter by trade, born in the City of Tacna, which is his legal residence and where he has resided all his life; in possession of his baptismal certificate, inscribed in the Civil Register of the province and in the Military Register of Peru; that in 1918 the Chilean authorities endeavored to compel him to serve in the Chilean army, but deponent alleged his Peruvian nationality and proved, by means of his military card, that he had effected his military service in the Peruvian army in the year 1911; that owing to the persecution instituted by the Chilean authorities to compel him to serve in the Chilean army, and in view of the fact that these same authorities were carrying on wholesale conscription of men of his nationality, he was compelled, on the 11th of October last, together with 15 other young countrymen of his, to leave the City of Tacna in the direction of Sama; that his family consists of his parents and 5 brothers, of whom one is under age; that the damage suffered by deponent consists in the loss of his position in Tacna which brought him in 400 pesos a month; that it is true that the Chilean authorities have deported numbers of young Peruvians from Tacna and Arica, but that deponent is unable to state the precise locality of their internment, though he recalls the cases of Juan Silva, a harness-maker, Carlos Molina, a painter, Wenceslao Zavala, brother of deponent, Juan Soto, a salesman in the market, and Manuel Espinoza, a tailor; that all the shops and stores and the markets were compelled to dismiss their Peruvian salespeople, and replace them by Chileans; that the Intendente, Barcelo Lira, saw to it that all Peruvian citizens should have no chance to find work or employment of any kind, as occurred in connection with the railroad company and the sugar-refining company; that witnesses to the above are Enrique Vizcarra, Oscar Caceres, Manuel Alay, Hérnan Castillo, and Enrique Carvallo; that his present address is the Barracks of the Republican Guard in Lima.

(Signed) FEDERICO RUEDA CARRION.

(Signed) GALLAGHER Y CANAVAL.



AFFIDAVIT No. 147

In Lima, November 22, 1923, Francisco Peralta Guerra appeared, and after being duly sworn testified that: He is 20 years of age, unmarried, a farmer, born in Pachia, of the Province of Tacna and legally domiciled therein, and inscribed in the Civil Register of Pachia; that at daybreak on the 4th of October, 1923, police agents called at the house of his parents for the purpose of apprehending deponent as a delinquent under the Law of Recruits and Substitutes, but that he was able to avoid arrest by hiding in the hills where he remained until the 17th of that same month, eluding the search made for him by the authorities since, owing to his Peruvian nationality, he was reluctant to serve in the Chilean army, and taking advantage of the first favorable opportunity, he left one night, together with several fellow-countrymen of his who were likewise fleeing from the Chilean persecution, for the provisional frontier of Sama; that his family consists of his father and 3 brothers under age, who are still in Pachia suffering the usual persecution meted out to persons of his nationality; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens, among whom he can mention Polo Rodriguez, Grimaldo Coaila, Héctor Rejas, and David Chipana, all denizens of Pachia who were conscripted by force. Deponent then recites the different measures of oppression and persecution directed by the Chilean authorities against law-abiding Peruvian citizens, such as their arbitrary arrests for service in the Chilean army; the raiding of their homes and the assaults inflicted upon the members of their families; the exaction of the payment of taxes for street-cleaning and repairing, and requiring them, in addition, to give their personal services for such purposes, as was suffered by deponent himself; the trespassing by police agents and the soldiery over the farms of the district and the appropriating of their produce and farm cattle; that witnesses to the above are Juan José Vildoso, Alberto Valdez, Artidoro Rejas, Carlos Gil, Luis and Héran Vargas and Dagoberto Vildoso. Deponent attaches to the present testimony his vaccination certificate and identification card issued by the Chilean authorities, and gives his present address as Lima, Santa Ana Street.

The above testimony having been read to deponent, he hereby ratifies its contents in every part, and owing to his inability to sign, requests the Judge to do so for him.

(Signed)

LAOS GONZALES.

(Signed)

GALLAGHER Y CANAVAL.



In Lima, November 23, 1923, Carlos Victor Gil appeared, and after being duly sworn testified that: He is 24 years of age, unmarried, a farmer, born in Pachia, Province of Tacna, which is his legal domicile and where he has resided all his life, and inscribed in the Civil Register of Pachia; that on the 4th of October, 1923, police agents called at deponent's residence at daybreak and in the name of the Police Lieutenant, Canales, summoned him to appear at police headquarters as a delinquent under the Law of Recruits and Substitutes, but deponent had already managed to go into hiding because, previous to the appearance of the police, he knew that his fellow-countrymen were being apprehended for service in the Chilean army; that 2 hours later 2 police agents again called and raided deponent's home, but were unable to find deponent who had taken refuge in the hills; that on that same day numerous conscriptions were carried out, so that, that night, in company with several of his friends, he fled to the provisional frontier of Sama, since it was against his conscience to serve in the Chilean army; that his family consists of his father and 8 brothers of whom 4 are under age, and who have all remained in Pachia exposed to violent persecution exercised by the Chilean authorities against the Peruvian denizens, with the exception of his brother José who was expelled and is now in this city; that it is true that the Chilean authorities have deported numbers of Peruvian citizens, among whom he can mention the cases of Polo Rodriguez, Grimaldo Coaila, Héctor Rejas and David Chicana, denizens of Pachia who were forcibly arrested and taken in trucks to Tacna where they were interned at some point south of Arica. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against the peaceful Peruvian denizens such as the assaults daily carried out by the civil and police authorities and the soldiery against everyone of Peruvian nationality; the extortion of sums of money by the police to set the men they may have captured at liberty; the trespassing by the above officials on the farms and property of Peruvian citizens, and the appropriating of the produce and cattle and the imposition of arbitrary fines when no offenses have been committed, so that the condition of uncertainty and terror is ever present, which makes life for the wretched denizens absolutely unbearable; that witnesses to the above are Juan José Vildoso, Alberto Rejas, Luis and Héran Vargas and Francisco

Peralta. Deponent attaches to the present deposition his identification card issued by the Chilean authorities and gives his present residence as Lima, Santa Ana Street.

(Signed) CARLOS V. GIL.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 149

In Lima, November 24, 1923, Oscar Tellez Pinto appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, a newspaper man, born in the City of Tacna and legally domiciled in the Port of Arica from 1917 until the date of his expulsion, and previous to that in the City of Tacna all his life, in possession of his baptismal certificate, inscribed in the Civil Register of the province and in the Military Register of Peru; that during the first days of January, 1919, a police agent, in the name of the Prefect, Biervuil, personally notified him that he would have to leave the Port of Arica within 8 days, an order of expulsion which was confirmed by the Chilean Patriotic League under threats of reprisals were the order not immediately carried out, information which was given deponent by Guillermo Prieto; that as the abuses and persecutions at that time has reached an incredible degree of violence, since they not only were limited to assault upon the persons of Peruvian citizens, but included attacks upon and looting of their homes by the disorderly characters of the town, with grave danger to the innocent members of the families of the victims, deponent decided to evade the order of expulsion, proceeding to Bolivia by the Arica-La Paz railroad at the end of the month above stated; that his family consists of his parents and 2 sisters, one of the latter still remaining in Arica but who will shortly join deponent, for deponent's father was subsequently expelled by the Chilean authorities; that his losses amount to 8,000 pesos as well as his earnings which were between 500 and 600 pesos a month. Deponent then recites the several acts of oppression and persecution instituted by the Chilean authorities against the law-abiding Peruvian denizens, such as the activities of the Chilean Patriotic League instigated and directed by Manuel Araya, Juan Raiteri, Carlos Letelier, Juan de Dios Cepeda, the Revenue Collector; Antonio Torres, Editor of the newspaper *Ferrocarril*; Ricardo Vicuña, Enrique Guzman Araya, which organized the meetings whose purpose was to secure the expulsion of Peruvians, and carry out the attacks against their



property and domiciles, which issued the orders to business firms to dismiss their employees and substitute them by Chileans; he mentions as well the forcible conscription for service in the Chilean army; the countless suits brought in the courts against the Peruvian denizens and the sentences arbitrarily imposed on these by the Judiciary, as alleged delinquents under the Law of Recruits and Substitutes, all of which has caused the emigration, imprisonment and internment of large numbers of the population; that witnesses to the above are Raul Rey, Humberto Solari, Pedro Pescetto, Emilio Valdez, Carlos Vives, Gerardo Vargas and in general, all the denizens of the Province of Arica who were expelled since 1918; that his present address is Lima, Pedregal Street, No. 804. Deponent attaches hereto the Judicial appeal presented to the Judge, Pedro Cuevas, by his mother, Irene Pinto de Tellez, upon the arbitrary arrest and imprisonment of her husband by the Chilean authorities, which culminated in his expulsion, an appeal which was thrown out by the Judge in question. Deponent also attaches hereto copy of the telegram and the receipt thereof, under date November 19, 1919, furnished by the West Coast of America Telegraph Company, Limited, sent by his mother to the President of the Republic of Chile entreating his protection against the arbitrary abuse of power shown by the authorities of Arica.

(Signed)

OSCAR TELLEZ PINTO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 150

In Lima, November 24, 1923, Andres Flores appeared, and after being duly sworn testified that: He is 42 years of age, married, a farmer born in the City of Tacna and legally domiciled in Tacna, Lanique Pass, where he has resided 8 years up to the date of his expulsion, and compelled by the military authorities of Chile to register in the Chilean Military Register; that the Chief of the Secret Service, Barahona, and several other police agents, had repeatedly called at deponent's residence at different hours of the day and night for the purpose of apprehending him, but that, fearful of the measures of persecution which would undoubtedly be exercised against him, deponent hid in a canebrake, where he remained during 8 days at the end of which he managed to reach Arica and take passage on the steamer *Orcoma* on the 10th of October; that his family consists of his wife and a daughter under age, who also



managed to reach Lima; that he owns a small farm and a house in the countryside round Tacna, worth 3,000 pesos, which deponent has been compelled to leave completely uncared for; that he assesses his losses in 2,000 pesos and his earnings, which were 180 pesos a month; that it is true that the Chilean authorities have deported large numbers of Peruvian citizens among whom he can mention the specific cases of Segundo Gomez, Hilario Istaca, Maximiliano Montero, Claudio Gutierrez, Marcelino Sanchez, José Carbajal and Manuel Menendez. Deponent then recites the several measures of oppression and persecution carried out by the Chilean authorities, such as the daily thefts and depredations committed by the soldiery and police authorities in the farms belonging to Peruvian citizens, and the arbitrary withdrawal of the water to which they are entitled, for the irrigation of their fields; that witnesses to the above are Fortunato Estrada and Alfredo Sagredo. Deponent attaches to the present testimony his identification card issued by the Chilean authorities and the passport, dated the 10th of October, 1923, furnished him by the Bolivian Consul in Arica, and gives his present address as Sacramento de Santa Ana St., Lima.

(Signed)

ANDRES FLORES.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 151

In Lima, November 24, 1923, Roberto W. Solano appeared, and after being duly sworn testified that: He is 31 years of age, married, a farmer, born in the City of Tacna and legally domiciled in the countryside of Tacna; inscribed in the Civil Register of the province and in the Military Register of Peru; that on the 1st of October, 1923, the police agents, Encinas and Soto, together with the Secret Service agent, Manuel Barahona, appeared at his home for the purpose of apprehending him as a delinquent under the Law of Recruits and Substitutes, but that, having received advance notice of the intention of the authorities, he succeeded in evading them and went into hiding; that the agents above mentioned then proceeded to search his domicile, and after going through the farm which he worked, they passed on to the home of Manuel Apaza, which was likewise searched, and this man found, and on being taken prisoner he was seriously wounded in one arm, taken to police headquarters notwithstanding and subsequently interned south of Arica; that deponent remained in hiding during these



occurrences and on the night of that same day he managed to leave the City of Tacna and fled overland to the provisional frontier of Sama; that his family consists of his wife and 3 children under age, who have remained in Tacna, exposed to the persecution of the authorities, but who will shortly be able to join deponent; that his damages are assessed in 3,000 pesos owing to the loss of his crops in the farm which he worked, and which brought him in 400 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of young Peruvians to the south of Arica, among whom he can mention Manuel Sanchez, Manuel Apaza, José Flores and Hume. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens such as the unprovoked assaults in the public thoroughfares, the raiding of their homes and looting of their business establishments; the trespassing by the soldiery and police authorities on their farms and the theft of their produce; the arbitrary withholding from them of the water to which they are entitled for the irrigation of their fields, and the diverting of such water for the uses of the municipalities, the barracks, the country club and even the private property of the administrative officials; the prohibition to all Peruvian citizens to engage in any industrial or commercial enterprise, and the arbitrary prevention to earn their living by work of any kind, which eventually compels them to evacuate the territory; that witnesses to the above are Alejandro and José Sanchez, Carlos Reinaga, Alejandro Rospigliosi and Juan Espinoza. Deponent attaches to the present testimony his identification card issued by the Chilean authorities and gives his present address as Lima, Santa Ana Street.

(Signed)

ROBERTO W. SOLANO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 152

In Lima, November 24, 1923, Alejandro Sanchez appeared, and after being duly sworn testified that: He is 59 years of age, married, a farmer, born in Tacna and legally domiciled in the City of Tacna; that on the first of October, 1923, the police agents, Encinas and Soto, as well as the Secret Service Agent, Barahona, raided his home for the purpose of apprehending him and interning him to the south of Arica, but deponent managed to hide and that same night he fled overland towards the provisional frontier

of Sama, together with several fellow-countrymen who were in the same predicament as deponent; that his family consists of his wife and 4 children who have remained in Tacna, with the exception of 2 of his sons, and who will shortly join deponent owing to the persecution they are presently enduring; that he owns 2 farms in the Tacna countryside worth 60,000 pesos, which have remained completely uncared for; that he estimates his losses to be 7,000 pesos as well as his earnings which were 800 pesos a month; that it is true that Chilean officials have interned considerable numbers of Peruvian youth among whom he can mention the cases of Manuel Apaza, Manuel Sanchez and many others whose names he does not recall. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens such as withholding from them the water to which they are entitled by law for the irrigation of their lands, and the arbitrary action of the Water Delegates in diverting to their own use this community water, an arbitrariness which is protected by the courts which grant no redress to complainants when these are of Peruvian nationality; the arbitrary price-fixing of produce brought in to Tacna from the farms; the expulsion of Peruvian stall-holders from the market and their substitution by those of Chilean nationality and in general, all the cases of assault against the persons and attacks against the homes of Peruvian citizens, to such an extent that it is no longer possible for these to venture abroad through fear of being injured; that witnesses to the above are Roberto Solano, José Sanchez, Carlos Reinaga, Alejandro Rospigliosi and Juan Espinoza; that his present address is Lima, Santa Ana Street. Deponent attaches hereto his vaccination certificate and his identification card issued by the Chilean authorities, and as deponent cannot write, he requests the Judge to sign in his stead, his testimony having been read over to him and approved by him in all its parts.

(Signed) LAOS GONZALES.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 153

In Lima, November 26, 1923, Roberto Albarracin appeared, and after being duly sworn testified that: He is 48 years of age, a hair-dresser by trade, unmarried, born in Tacna, legally domiciled in the City of Tacna and inscribed in the Military Register of Peru;



that owing to the constant persecution exercised against the Peruvian citizens by the authorities, and of which deponent was likewise a victim to the extent of being deprived of the means of carrying on his trade which was necessary for his subsistence, he was compelled to leave the City of Tacna, after having suffered serious losses in the disposal of his business, taking passage on the 19th of August, 1920, for the Port of Callao; that his family consists of his mother and a sister who were likewise obliged to follow deponent, owing to the hostilities suffered by them; that he is the owner of a house in Pachia, district of Tacna, and of his business which he had to sell and dispose of respectively, owing to his forcible departure from his place of residence; that he assesses his damages in 7,000 pesos as well as his earnings which were 260 pesos a month. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens such as the continual trespassing by the soldiery and police authorities on the farms of the district of Tacna and the theft of the produce therefrom; the arbitrary withholding of the necessary waters for the irrigation of the fields; the continual meetings held by the Chilean Patriotic League and the consequent assaults and attacks against the persons and homes of Peruvian citizens by the disorderly element belonging to this League; the quartering in Tacna, in 1911, of almost 5,000 soldiers which has since been increased to the incredible number of 16,000 men in 1920, a fact which, alone, would prove the condition of persecution and terror which obtains in the territories, all this in addition to the arbitrary conscripting of all Peruvians irrespective of age, to serve in the Chilean army; that witnesses to the above are Manuel Sologuren, Amador Cornejo, Juan Auza, Julio Forero and many others; that his present address is Lima, Piura Street, No. 734. Deponent attaches hereto 2 certificates issued by the Italian firms of Dondero Hermanos & Company, and Visconti Hermanos of Tacna, testifying to the unfailing honesty and good conduct of deponent in all the business relations he has had with them.

(Signed)

R. ALBARRACIN PORTALES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 154

In Lima, November 26, 1923, Fortunato Estrada appeared, and after being duly sworn testified that: He is 26 years of age, a



truckman, married, born in the district of Tarucachi, Province of Tarata in Chilean occupation, legally domiciled in Tacna since 1904 and previous to that in Tarucachi, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that on the 30th of September, 1923, at about 9 P. M., when passing through Comercio Street in Tacna, he was detained by the agents San Martin and Martinez and taken to police headquarters, where he was kept incommunicado in a cell; that he found subsequently that 19 of his fellow-citizens were likewise confined at police headquarters, among them a mute called Humberto Hume; that about 4 o'clock A. M., 2 more prisoners were brought in, whereupon the whole batch was taken to the Tacna-Arica Railroad station in custody, and from thence, in charge of the labor foreman, Ibañez, they were taken by rail to Arica where they remained 3 days and were subsequently put on board the steamer *Ebro* for Iquique, and on arrival there were sent to the nitrate property called "La Granja" and put to work on some very unproductive land (Calicheras) where labor was exceptionally heavy and the result so poor, and consequently the wage so low, that after working continuously, they were still in the debt of the owners of the "oficina" while they were likewise deprived of the means to break a contract which had been entered into without consulting them, so that they were, to all intents and purposes, but slaves; that a little over a month later, after the events narrated above, and taking advantage of a dark night deponent managed to escape from his bondage, and undertook to walk as far as Buenaventura, where the railroad passes which goes from Lagunas to the Port of Iquique, on reaching which place he went before the French Consul, to whom he related the forcible and inhuman manner in which he had been interned, and was able thereupon, to secure the passport which is attached to this deposition, and which enabled him to sail from Iquique to the Peruvian Port of Mollendo on the steamer *Cachapoal*, the money for his steerage passage having been furnished by his wife in the sum of 41 pesos; that his family consists of his wife who has remained in Tacna but who will shortly join deponent in this city; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens, the place to which they have been sent being Copiapó, among whom he can mention the cases of Antonio Gonzales, who was forcibly apprehended on the estate of Sr. Juan Sada, where he worked as a laborer, as well as Colque, Adrian Vizcarra, Marcelino Sanchez, and many others



whose names he cannot, for the moment, recall. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as preventing them from engaging in any industrial or commercial occupation, or of engaging in work of any kind; the immunity granted to police and military officials in the daily cases of assault and attack against the persons and homes of Peruvians; the arbitrary imprisonments and the high fines exacted to give them their liberty, with which, however, they do not purchase immunity from further molestation since they are repeatedly arrested for the purpose of extorting more money from these wretched people, and when no more is forthcoming they are then conscripted into the army or deported south of Arica; the payment by them of taxes in excess of what the law stipulates, and finally the arbitrary withholding from Peruvian farmers of the water to which they are, by law, entitled for the irrigation of their land and the selling of such water, by the Delegates, to other enterprises or persons who have no right thereto, as well as the continual trespassing by the soldiery and police authorities over the land owned by Peruvian farmers for the purpose of appropriating their produce; that witnesses to the above are Alberto Solano, Alejandro and José Sanchez, Carlos Ninaja, and all the recent deportees from Tacna; that his present address is Lima, Santa Ana Street. Deponent attaches hereto his identification card and vaccination certificate issued by the Chilean authorities, as well as the passport furnished him by the French Consul in Iquique and which is dated November 13, 1923.

(Signed)

FORTUNATO ESTRADA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 155

In Lima, November 26, 1923, Carlos Ninaja appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, a farmer, born in Tacna and legally domiciled in the country around Tacna; that upon police agents having appeared at his home to apprehend him as a delinquent under the Law of Recruits and Substitutes, deponent, having had advance notice of their intention, went into hiding, and on the second of October, 1923, under cover of the night, fled from his home and abandoned all things in an effort to reach the provisional frontier of Sama; that his family consists of 3 brothers, 2 under age, of whom 2 are already

in this city and the other in Ariquepa, having all been expelled by the Chilean authorities; that the damage suffered by deponent consists in the loss of his crops in a farm which he rented and worked and which he assesses at 1,500 pesos, as well as his earnings which were 600 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian youth, among whom he knows of the cases of José Quelopana, Enrique Vizcarra, Fernandez, Colque, denizens of the City of Tacna, who were all violently apprehended. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as the arbitrary withdrawal of the water to which they are entitled by law, and the delivery of it, instead, to other institutions and persons who have no right thereto, a proceeding engineered by the Water Delegates of the rivers Caplina and Uchusuma, Messrs. Corvalon and Perez, the two most zealous exponents of the policy of Chilenization who are likewise public officials of Chile; the arbitrary price-fixing of market produce sold to the Chilean holders of the market-stands who have replaced the former Peruvian owners thereof; and finally the continual and indiscriminate persecution and assaults directed against all persons of Peruvian nationality with no regard for sex or age; that witnesses to the above are Fortunato Estrada, Roberto Solano, Alejandro and Jesus Sanchez; that his present address is Lima, Santa Ana Street.

(Signed)

CARLOS NINAJA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 156

In Lima, November 30, 1923, Juan Lanchipa appeared, and after being duly sworn testified that: He is 38 years of age, a carpenter, married, born in the Port of Arica which is his legal domicile and where he has resided all his life; that on the 22nd of September last, at 2 P. M., while deponent was proceeding through Blanco Encalada Street towards his workshop, he was apprehended by the Agent, Barahona, and taken to police headquarters where he was kept 4 hours in a cell, and only secured his liberty through the intercession of Sr. Julio Fuenzalida, Manager of the Electric Light Company, but he was informed by the Commissioner, Valdez, that he would have to leave the port at once, which he, in fact, did on the 23rd of September, taking passage on the



steamer *Peru* for Iquique, where he was compelled to land and taken on as a laborer in the nitrate works called "Carmen Bajo," where he worked only one day and then managed to return to Iquique, remaining there a month until the arrival of the steamer *Mapocho* on the 31st of October, on which he took passage for the Peruvian Port of Ilo; that his family consists of his mother, a sister, his wife and 6 children all under age, who were left in Arica; that the damage suffered by deponent consists in the loss of his position which brought him in 300 pesos a month; that it is true that the Chilean authorities have interned a considerable number of Peruvian youth, deponent having personally witnessed the rounding-up by police authorities in the port and valley of Arica of large numbers of young Peruvians who were sent to different provinces to the south of Arica for service in the Chilean army, among whom he knows of the cases of Aurelio Osores, Modesto Segundo and Manuel Corbacho and Agustin Valenzuela, of whom the first three, after a year's service in the Chilean army, returned to Arica, while the last was expelled to Iquique after he had, likewise, effected his military service; that Peruvian citizens are continually molested and hampered for no just reason, except their nationality, in their trades and occupations, arbitrary fines are systematically imposed on and their trade permits are withdrawn from them; that witnesses to the above are Juan Manuel Maldonado, Eulogio Espinoza and Teodoro Rios; that his present address is Lima, Sacramento de Santa Ana Street. Deponent attaches hereto his vaccination certificate, issued by the Chilean authorities, and his passport granted by the French Consular Agent in Iquique, and draws attention to the fact that, though the heading of the passport reads "Consulate of France in Antofagasta," it is signed by the Consular Agent in Iquique and bears the official seal of that agency in that same port.

(Signed)

JUAN LANCHIPA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 157

In Lima, November 30, 1923, Luis Rondon appeared, and after being duly sworn testified that: He is 45 years of age, a merchant, unmarried, born in Arica and legally domiciled in the Port of Arica where he has resided all his life, and likewise in possession of his baptismal certificate; that on the 16th of April, 1923, 2 police agents, one of whom was called Zurita, appeared at depo-

ment's residence and after apprehending him acting, so they said, upon orders of the Assistant to the Prefecture, Domingo Palma, took him to police headquarters in the Port of Arica, where he was searched and his watch taken from him, confined in a cell from 3 until 11 P. M. and then taken out, stripped naked and cruelly flogged, an indignity which, at that time and place, was inflicted on several others of his fellow-countrymen for no other reason than that they were Peruvian citizens; that he was then taken back to his cell, notwithstanding the serious condition in which he was as a consequence of the treatment which he had received, during which his left arm had been dislocated and urgently required medical attention; that at 2 that morning, doubtless owing to the condition of complete prostration in which he then was and fearing perhaps, that complications might arise, he was set free by the Chilean authorities and told that he would have to leave the territory within 3 days, failing which he would be rearrested and the same treatment applied to him; that owing to the state of his health as a consequence of the assault, he was confined to his bed under the care of a doctor for a considerable time, being compelled to remain indoors until the 26th of November, when he secured passage on the steamer *Oropesa* for Callao; that his family consists of his sister and a cousin who have remained in Tacna but who, owing to the persecution they are enduring, will shortly leave for Lima; that he owns 2 houses in the Port of Arica worth 15,000 pesos; that he assesses his losses at 3,000 pesos, and his earnings which were 300 pesos a month; that it is a fact, well known by the public in general, that great numbers of Peruvian youth have been deported by the Chilean authorities. Deponent then recites the several measures of oppression and persecution committed by the Chilean authorities against Peruvians, such as the daily and continual assaults and attacks against their persons and residences; the collection of excessive fines and the payment of taxes higher than those stipulated by law; the forcible conscription of Peruvians for the Chilean army; the restrictions of every kind to prevent them from exercising an occupation or securing any means of livelihood, and finally, the maintaining of a condition of perpetual unrest and terror among the denizens, so as to cause them to evacuate the territories whenever they are able; that witnesses to the above are Rosendo Carrasco, Guillermo Carlos, Jorge Acevedo, Juvenal Lagos, Juan de Dios Oviedo, José Rueda and many others who are now in Lima; that his present address is Callao, Castilla Street, No. 15.



Deponent attaches hereto, his vaccination certificate and identification card issued by the Chilean authorities, as well as the passport granted to him on the 8th of November, 1923, by the Bolivian Consul in Arica.

(Signed)

LUIS RONDON R.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 158

In Lima, November 30, 1923, Teofilo Gonzales appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, a farmer, born in Tacna, legally domiciled in Arica where he has resided since he was a child; that about a year ago, more or less, while driving a cart in the Valley of Azapa to Arica, he was apprehended by the police, taken to headquarters and forcibly inscribed in the Military Register of Chile; that in the beginning of October, last, he heard that he was being sought for by the police to be conscripted in the Chilean army, so that he at once went into hiding, but his employer, who was a Chilean citizen, compelled him to continue his work, which he did, for one day, when, learning that the police had inquired respecting him, he fled that same day from Arica towards the Valley of Azapa, and thence along the seashore until he reached Sama; that he has no family since all his relatives are dead; that it is true that considerable numbers of Peruvians from Tacna and Arica have been sent to Copiapó for service in the Chilean army, among whom he knows of the cases of Nicolas Yañez, Eulogio Jimenez, Manuel Modesto, and Antonio Corbacho; that the Chilean authorities continually harass and persecute Peruvian citizens, taxing them in sums above those established by law, and compelling them to sell their market produce at arbitrary prices; that witnesses to the above are Alfredo and Manuel Maldonado, Eulogio Espinoza, Juan Lanchipa, Toribio Rios and Fortunato Yañez; that his present address is Lima, Sacramento de Santa Ana Street. The above testimony having been read to deponent and ratified by him, he requested the Judge to sign in his stead, owing to his inability to write.

(Signed)

LAOS GONZALES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 159

In Lima, December 1, 1923, Toribio Rios appeared, and after being duly sworn testified that: He is 23 years of age, unmarried, a

farmer, born in the Valley of Azapa which is his legal domicile and where he has resided all his life; that since he was 17 years of age, he has been persistently sought by the police agents to compel him to register in the Chilean Military Register, but he has always managed to elude his pursuers by hiding in the hills, but that, in September, 1923, he was eventually summoned to appear before Judge Pedro Cuevas, who sentenced him to 60 days' imprisonment and to a year's military service, deponent again managing to hide, and therefore did not purge his sentence, but that, having been again summoned before the Court, and fearing that he would be made to suffer the persecution common to all men of his nationality, he decided that it was time to leave the Port of Arica, which he, in fact, did, going overland to Sama; that his family consists of his mother, 5 brothers and a sister, all over age, the latter of whom has remained in the Valley of Azapa with her husband; that he is the owner of a farm in the Valley of Azapa which is rented to Maria Werler; that he estimates his losses to be 5,000 pesos and his earnings which were 300 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens from Tacna and Arica, among whom he can mention Nicolas Yañez, Eulogio Jimenez, and Aurelio Osorio; that Peruvian citizens are forbidden to engage in any occupation; they are arbitrarily arrested and taken to police headquarters, and are likewise forbidden to engage in fishing operations; that witnesses to the above are Alfredo Madueño, Manuel Maldonado and Eulogio Espinoza; that his present address is Lima, Sacramento de Santa Ana Street; and as deponent cannot write, he requests the Judge to sign in his stead, which, after the present deposition had been read to deponent and ratified by him in all its parts, was duly carried out.

(Signed) LAOS GONZALES.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 160

In Lima, December 1, 1923, Fortunato Ibañez appeared, and after being duly sworn testified that: He is 64 years of age, unmarried, a farmer, born in the Valley of Azapa, Province of Arica, and legally domiciled therein all his life; that as the Chilean authorities of the Province of Arica were systematically pursuing all Peruvian citizens regardless of age, for the purpose of conscripting them in the Chilean army or interning them in Chile, a measure which included deponent, he was compelled, so as to avoid it, to



go into hiding in September, 1923, remaining in that condition until the 10th of the following month when he was able to proceed towards the seashore under cover of night, and, in the company of his fellow-countryman Alfredo Madueño, who was fleeing from the same persecution, they continued on by the seashore until they eventually reached the Peruvian frontier of Sama; that his family consists of 4 natural sons under age; that he can testify that the Chilean authorities have deported considerable numbers of Peruvian youth, though where, deponent is unable to say, knowing only that they have been sent south of Arica, among whom he remembers the cases of Mariano Ibarra, Eulogio Jimenez, Modesto, Antonio and Manuel Corbacho, Aurelio Osorio and Juan Estoraica, all denizens of Azapa who were taken by force by the authorities. Deponent then recites the several measures of persecution instituted by the Chilean authorities against Peruvian citizens, such as the raiding of their homes; the arbitrary arrests and conscription in the Chilean army, the mass deportations and the compulsory testimonials, wrested from them through fear of reprisals, in which they declare that they are in the enjoyment of all the usual guarantees and are in no way persecuted by the Chilean authorities; the trespassing by the soldiery and police authorities on the lands of Peruvian farmers, and the seizing of their produce, as well as the arbitrary price-fixing of all such commodities brought into the town; that witnesses to the above are Oswaldo Jimenez, Toribio Rios, Eulogio Espinoza, Juan Manuel Maldonado, Juan Lanchipa and Alfredo Madueño; that his present address is Lima, Santa Ana Street. Deponent attaches hereto his identification card issued by the Chilean authorities, as well as his passport granted him by the Bolivian Consul in Arica under date October 8, 1923.

(Signed)

FORTUNATO IBAÑEZ.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 161

In Lima, December 1, 1923, Ventura Albarracin appeared, and after being duly sworn testified that: He is 79 years of age, married, a farmer, born in Arica, legally domiciled in the Valley of Azapa, district of Arica, where he has resided all his life; that on the 10th of October, 1923, he was notified in the name of the Governor, by a police agent, to leave the Province of Arica within 5 days, under threat of being interned and of losing all he possessed; that under these circumstances, and considerably alarmed for his personal

safety, he decided to obey the order of expulsion, and notwithstanding his advanced years, he proceeded on foot to the frontier at Sama; that owing to the persecution suffered by the Peruvian denizens at the hands of the Chilean authorities, the Province of Arica is almost depopulated, the inhabitants fleeing either to Peru or to the neighboring Republic of Bolivia; that in 1870 and 1875 the Chilean population of the province was extremely small, but that it increased considerably in the years 1890 and more especially from the years 1890 to 1900, owing to the commercial and agricultural development of the region due to the advantages accruing through the working of the nitrate deposits of Iquique and Antofagasta, a prosperous condition, however, which has disappeared during these last years, the provinces now having been changed into a military camp where there is no guarantee of any kind for the safety and even for the lives of the original denizens of the land, who were the builders of its wealth and prosperity; that his family consists of his wife, 6 children and a grandchild, who have remained in Arica, but who, owing to the persecution directed against them will shortly join deponent; that he is the owner of a farm which is now rented, in which he had invested 5,000 pesos; that it is true that the Chilean authorities have interned large numbers of Peruvian youth, among whom he can mention Modesto and Manuel Corbacho, Eulogio Jimenez and Juan Estoraica, all denizens of the Valley of Azapa. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as the arbitrary arrests for service in the Chilean army; the assaults against the persons and attacks against the property of these people by the disorderly characters of the town, who go unpunished by the police; the exaction of exorbitant fines; the wholesale imprisonments and the torturing of the prisoners; the trespassing by the soldiery on the farms belonging to Peruvians for the purpose of appropriating the crops and cattle, and the absence of attention paid by the authorities, both police and judicial, to the complaints occasioned by these arbitrary proceedings, all of which have created a situation of uncertainty and terror which render life for all Peruvian citizens absolutely unbearable; that witnesses to the above are, Manuel Maldonado, Juan Lanchipa, Alfredo Madueño, Teofilo Espinoza, Teofilo Rios, Fortunato Ibañez, Luis Belaúnde and many other deportees; that his present address is Lima, Santa Ana Street. Deponent attaches hereto his identification card issued by the Chilean au-



thorities, and the passport granted to him on October 9, 1923, by the Bolivian Consul in Arica.

(Signed)

VENTURA ALBARRACIN.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 162

In Lima, December 1, 1923, Manuel Maldonado appeared, and after being duly sworn testified that: He is 45 years of age, married, a farmer, born in Arica and legally domiciled therein up to 1910, and in the Valley of Azapa from that date until his expulsion; that on the 8th of October, 1923, he was notified that he would have to leave the territory, and knowing that he was being sought for the purpose of interning him in Chile, and after having remained in hiding 15 days in the hills around the Valley of Azapa, province of Arica, he fled by land, following the seashore, until he reached the mouth of the River Sama on the Peruvian frontier, whence he continued on to the capital; that his family consists of 5 children under age, of whom 3 have remained in Azapa; that his losses include 1,000 pesos and his earnings which were 350 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens, among whom he can mention Eduardo Vargas, José Ruiz Ramirez, and many others domiciled in Arica and in the Valley of Azapa. Deponent then recites the different measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as their arbitrary conscription for service in the Chilean army, their internment in Chile after having been confined at police headquarters, where they are subjected to different forms of torture; the continual cases of assault against the persons and the attacks against the residences and places of business of Peruvian citizens, effected by the disorderly characters of the town with the connivance and protection of the police authorities and the Courts; that witnesses to the above are Fortunato Ibañez, Alfredo Madueño, Benjamin Solas, Toribio Rios, Ventura Albarracin, Oswaldo Jimenez, Eulogio Espinoza, and in general, all the recent deportees; that his present address is Lima, Santa Ana Street. Deponent attaches hereto his identification card issued by the Chilean authorities, and the passport granted to him on the second of October, 1923, by the Bolivian Consul in Arica.

(Signed)

JUAN M. MALDONADO.

(Signed)

GALLAGHER Y CANAVAL.

AFFIDAVIT No. 163

In Lima, December 1, 1923, Eulogio Espinoza appeared, and after being duly sworn testified that: He is 30 years of age, unmarried, a farmer, born in Lluta, Province of Arica, and legally domiciled in Arica since his birth; that upon being informed that the Chilean authorities were looking for him for the purpose of arresting and interning him to the south of Arica, together with others of his fellow-countrymen, he went into hiding in the Valley of Azapa and taking advantage of the first favorable opportunity, he fled by night along the seashore from the Valley of Azapa to the mouth of the River Sama on the Peruvian frontier, having effected this arduous trip through sandy deserts and with very little provision for the journey, which he effected on the 24th of September; that his family consists of his mother and his step-father, who have remained in Arica, but who will shortly join deponent in this city; that his losses include his occupation which brought him in 8 pesos a day as laborer; that it is true that the Chilean authorities have interned great numbers of Peruvian citizens to the south of Arica, among whom he can mention the cases of Modesto and Manuel Corbacho, Juan Estoraica, Aurelio Osorio, Nicolas Yañez, Eulogio Jimenez and José Maria Carrasco, all from the Valley of Azapa excepting the last named, who is a resident of the port of Arica. Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens in the Valleys of Azapa and Lluta, such as the assaults, aggressions and attacks by the police agents and the public officials and soldiers; the arbitrary price-fixing of agricultural produce, the constant imprisonments and torture to which the prisoners are subjected; that witnesses to the above are Oswaldo Jimenez, Teofilo Gonzalez, Alfredo Madueño, Fortunato Ibañez, Toribio Rios, Manuel Maldonado and in general, all the recent deportees from Arica; that his present address is Lima, Santa Ana Street. Deponent attaches hereto his identification card issued by the Chilean authorities and a passport granted to him on the 21st of September, 1923, by the Bolivian Consul in Arica.

(Signed)

EULOGIO ESPINOZA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 164

In Lima, December 1, 1923, Alfredo Madueño appeared, and



after being duly sworn testified that: He is 51 years of age, unmarried, a farmer, born in Lluta, province of Arica, and legally domiciled in Azapa, of the same province, all his life; that on the 10th of October, 1923, the Chilean authorities were actively pursuing him for the purpose of interning him in Coquimbo, owing to his Peruvian nationality, a persecution which had previously been directed against Eulogio Espinoza, the son of his common law wife, Andrea Cornejo, owing to which deponent was compelled to seek safety in flight; that after having remained in hiding in the Valley of Azapa, he followed the seashore until he came to the mouth of the River Sama; that his family consists of his common-law wife and one son, the former of whom has remained in Arica while the son has been expelled; that it is true that the Chilean authorities have deported large numbers of Peruvian citizens to places south of Arica, among whom he can mention the cases of Eduardo Vasquez, José Ruiz Ramirez, Modesto Corbacho, Aurelio Osorio, Eulogio Jimenez, Nicolas Yañez, José M. Carrasco, and in general, all the recently expelled. Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens such as the raiding of their domiciles by the police, the trespassing on their farms by the soldiery for the purpose of seizing their crops and cattle; the arbitrary imprisonment and the cruel tortures suffered by the victims during their incarceration; the excessive taxes, of a higher rate than those allowed by law; the expulsion of Peruvians from the market place and from membership in the different guilds; the notifications issued to all business and industrial firms to dismiss their Peruvian employees, and the steps taken to prevent these from engaging in any work or occupation whereby they may earn their living; the absolute prohibition to engage in fishing operations which has been put in practice during the last four years, and in general, the abuse and assaults in the public streets to which all citizens of this nationality are ceaselessly exposed; that witnesses to the above are Oswaldo Jimenez, Teofilo Gonzales, Eulogio Espinoza, Juan Manuel Maldonado, Fortunato Ibañez and Juan Lanchipa; that his present address is Lima, Santa Ana Street. Deponent attaches hereto his identification card issued by the Chilean authorities, and the passport, granted to him and his wife, dated October 1, 1923, by the Bolivian Consul in Arica.

(Signed)

ALFREDO S. MADUEÑO.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 165

In Lima, December 3, 1923, Valeriano Rosado Ramos appeared, and after being duly sworn testified that: He is 32 years of age, unmarried, a clerk by occupation, and born in the City of Tacna which is his legal residence; that on the 5th of October, 1923, when in the market place, deponent was accosted by the Chief of the Secret Service, Manuel Barahona, the Deputy Chief, Juan Solis, and the Police Agent, Guillermo Soto, who required him to show his identification card, a request with which deponent did not comply through fear that it would be taken from him, as commonly occurred with other Peruvian citizens, whose cards were seized by the police, and who were then arrested, imprisoned and deported to the south for failing to adequately establish their identity. Under these circumstances he decided to remain in hiding in the house of Sr. Carlos Lombardi, where he worked as coachman, leaving thence for Arica and subsequently to La Paz, Bolivia, where he remained 14 days going thence to Arequipa and taking ship from Mollendo on the 19th of November last for Callao on the steamer *Urubamba*; that the damage suffered by deponent consists in the loss of his occupation which brought him in 200 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian youth, deponent having personally witnessed their arrests in the streets of Tacna by police agents, who conducted them to police headquarters and thence to the railroad station for the Port of Arica, where they were put on steamers and sent south, a fate which has overtaken numbers of young men brought from Pachia, Calana and Calientes, deponent recalling, among other cases, those of Juan Silva and Wenceslao Zavala, who were conscripted and sent south as above described. Deponent states that he has heard Chilean police agents declare that all Peruvian citizens would have to disappear from Tacna, a city which should have none but Chilean inhabitants, while he has likewise witnessed the arrival of over a hundred Chilean families which had been brought from the South; that witnesses to the above are Juan Pablo Espinoza, Andres Flores and Oscar Caceres; that his present address is Lima, Santa Ana Street. Deponent attaches hereto the certificates given him by the Italian firm of Carlos Lombardi and Juan Bacigalupo, of Tacna, testifying to his unvarying honesty, industry, good conduct and other law-abiding qualities during the 5 and 6 years respectively, when he was in their service.

(Signed)

V. ROSADO RAMOS.

(Signed)

GALLAGHER Y CANAVAL.



In Lima, December 4, 1923, Mariano Giron appeared, and after being duly sworn testified that: He is 45 years of age, unmarried, a farmer, born in Tacna and legally domiciled in the City of Tacna where he has resided all his life, and in possession of his baptismal certificate; that in July, 1923, he was summoned to appear before the Court of Tacna to show cause why he had not effected his military service in the Chilean army, deponent testifying that he had not done so because he was a Peruvian citizen, and signing the declaration presented to him by the Judge to that effect; that at the beginning of October, 1923, the Court Official, Montt, notified him that sentence of 60 days' imprisonment and 2 years' service in the Chilean army, and a 100 pesos fine had been imposed upon him; that deponent then appealed against the verdict and paid the costs in the case amounting to 24 pesos, but could get no receipt, and that, at the time when the verdict had been communicated to him, he was likewise notified that on the first of November he would have to appear for service in the Rancagua Regiment garrisoned in Tacna, and so as to avoid such a humiliating contingency, which was repugnant to his patriotic feelings as a Peruvian, he decided to flee to the Peruvian frontier of Sama, which he, in fact, did on the 18th of October, 1923; that his family consists of his parents and 3 brothers, who have all remained in Tacna with the exception of 2 brothers who have already been expelled by the Chilean authorities; that he owns a farm in Pocolay, district of Tacna, which is worth 6,000 pesos, and which he has been compelled to leave uncared for; that deponent estimates his losses to be 2,000 pesos, as well as his earnings which were 300 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of young Peruvians to points south of Arica, among whom he can mention José Rosas Flores, Carlos Molina, Hume and others. Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities and vigorously put in practice by the Sub-Delegate of Pocolay, who extorts from the denizens, documents undertaking to vote for Chile in case of a plebiscite, or to remain neutral, an undertaking which the unfortunate people subscribe to through fear of reprisals and expulsion; the arbitrary distribution of the waters of the River Caplina by which the denizens of Pocolay are deprived of the water which is rightfully theirs; the trespassing of the soldiers and police officers on the farms for the purpose of obtaining the fruit and cattle, and the absence of all regard by the

authorities to the complaints which such actions occasion in the rare instances when the victims were bold enough to make any complaint; that witnesses to the above are Julio Herrera, Alberto Valdez, Alejandro and José Rospigliosi, Fabio Quelopana and Jorge and Francisco Sanchez; that his present address is Lima, Cajamarca Street, No. 357. Deponent further testifies that Chilean carbineers forcibly took possession of his identification card and vaccination certificate issued by the Chilean authorities, as well as all his private papers which he had on him.

(Signed) MARIANO GIRON M.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 167

In Lima, December 3, 1923, Oswaldo Jimenez appeared, and after being duly sworn testified that: He is 18 years of age, unmarried, a farmer, born in the Valley of Azapa, district of Arica, and legally domiciled in Azapa all his life and inscribed in the Civil Register of the province; that during the first days of September, 1923, the Sub-Inspector of Police, Luis Quiroz, appeared in the Galvez plantation in the Valley of Azapa, where deponent was employed, to notify him and conduct him to the port of Arica so as to conscript him for service in the Chilean army, garrisoned at Copiapó; that on this occasion, owing to assistance he received from several of his fellow-countrymen, he was able to escape and remained in hiding for several days, and taking advantage of the first favorable opportunity, he left one night and proceeded, alone and on foot along the seashore of Arica, and over a sandy waste 31 leagues in extent, until he reached the Peruvian frontier of Sama, since he could not bring himself to serve in the Chilean army owing to his Peruvian nationality; that his family consists of a brother, Eulogio Jimenez, 23 years of age, who was taken prisoner in the Valley of Azapa, in March, 1922, and after being conscripted into the Coast Artillery Regiment in the Port of Arica, was sent to Copiapó where he finished his service as a recruit in one of the garrisons of that town, notwithstanding his Peruvian nationality and his protests against this humiliating imposition; that the damage suffered by deponent consists in the loss of his occupation which brought him in 6 pesos 50 a day; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens in the Province of Coquimbo, as well as at other points south of Arica, being able to testify, in addition to the internment



of his brother, Eulogio Jimenez, to that of Modesto, Manuel and Antonio Corbacho, Nicolas Yañez, Juan Estoraica, Primitivo Bravo, Armando Pimentel, Armando Acevedo, José Maria Carrasco, Tomas Molina, Manuel P. Pizarro, all denizens of Lluta, Azapa and the port of Arica. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens such as, the compulsion under threats of personal violence to accept Chilean citizenship, compelling them to subscribe documents in which they adopt this nationality and testify to their happy condition, notwithstanding the daily repetition of assaults, attacks, thefts and looting of their homes which they suffer at the hands of the police authorities of the Port of Arica; the constant trespassing by the soldiery on their farms and the theft of their produce and cattle; the dismissal from their work and employment and the steps taken by the authorities to prevent them from engaging in any occupation whereby they may earn some means of subsistence; the expulsion of all Peruvian citizens from the various trade guilds; the violation of all correspondence in the Arica Post Office, and the mass-expulsions and internments and the withdrawal of every guarantee of safety from the unfortunate people; that witnesses to the above are Alfredo Madueño, Fortunato Ibañez, Toribio Rios, Eulogio Espinoza, Juan Manuel Maldonado, Teofilo Gonzales, and Juan Lanchipa; that his present address is Lima, Santa Ana Street. Deponent states that, owing to his precipitate departure which prevented him from securing even his personal effects, he left his identification card and other personal papers in his home. Deponent further wishes to leave on record that both he and his brother are sons of Peruvian parents and that all their lives they have constantly and publicly testified to their Peruvian nationality. Deponent being unable to write, requests the Judge to sign for him, and upon this declaration having been read to deponent, he hereby ratifies the same in all its parts.

*(For deponent)*

(Signed)

LAOS GONZALES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 168

In Lima, August, 1923, José H. Carrasco appeared, and after being duly sworn, testified that: He was born in Arica where he

has lived all his life, is 57 years of age, married and a clerk by occupation, and inscribed in the Civil Register of the province. Deponent testifies that in July, 1920, he was verbally notified by Sr. Alfredo Raiteri that he would have to leave Arica within a month according to the decision taken by the Patriotic League, owing to which deponent left the place so as not to suffer the same indignities which other Peruvians had experienced. That his family consists of his wife and seven children of which one is under age and three very young. That his wife is the owner of four houses assessed at 60,000 pesos, which are rented, but owing to his absence from the city great difficulty is experienced in securing the rentals thereon; that his present residence is Lima, Matamoros Street, 564.

(Signed)

JOSE H. CARRASCO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 169

In Lima, on September 1, 1923, Humberto Cádiz Vargas appeared and after being duly sworn testified that: He is 27 years of age, born in Moquegua, married, and a cattle raiser by occupation, that his legal domicile was Pocollay, district of the same name, in the Valley of Lluta where he resided for the last three years and before that, four years in Tacna. That he is inscribed in the Peruvian Military Register and that he has effected his military service in Peru in the year of 1909; that on April 25, 1919, he was taken prisoner in the Port of Arica and conducted to the Police Barracks where his head was shaved and he was kept in confinement for four days; that he was then taken to Tacna to the barracks of the Lancers Regiment where he was made to don the uniform of that corps and serve therewith about two months, whence he was sent to Iquique where his uniform was changed and he was assigned to the Grenadier Regiment; that three months later he was once more sent back to Tacna and again assigned to the Lancers where he remained four months until one day, when the regiment had gone into the country to execute different exercises, he managed to escape on horseback until he reached the territory occupied by the Peruvian authorities. Deponent testified that when he was apprehended this was effected by police agents acting upon the orders of the Prefect of Police, Sr. Herrera; that he owned cattle worth 8,000 pesos which he completely lost, as well as his earnings which were from 2,000 to 3,000 pesos a month;



that at the time of his arrest, the Prefect of Arica desired of him, and endeavored to extort from him by threats, a declaration promising to vote for Chile in case of a plebiscite, but that he always refused; that the Chilean authorities had interned a great number of Peruvian citizens in the Province of Coquimbo among which he knows personally of the case of a young man named Cornejo and of another called Mariano Martin Quispe; that the methods put in practice by the Chilean authorities to compel Peruvian citizens to emigrate consist in molesting them continually and withdrawing from them all guarantees of safety so that they are obliged to wind up their affairs and leave; that all that he has declared is publicly known in Tacna and Arica and that his present residence is Lima, Angaraes Street, 344.

(Signed) HUMBERTO CADIZ V.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 170

In Lima, October 15, 1923, Gerardo Corvacho appeared, and after being duly sworn testified that he is 41 years of age, a merchant, born in Tacna and married, that his legal domicile is Tacna where he has lived all his life; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he declined, this being one of the causes for his expulsion; that he is inscribed in the Peruvian Military Register and that on December 31, 1918, the Police Agent, San Martin, notified him to appear before General Rojas Arancibia, Provisional Intendente of the Province, who informed him that he had ceased to be *persona grata* to the Government and that in compliance with orders from his superiors he would have to leave the territory within five days, and that he would, in addition, have to sign a declaration to the effect that he was leaving of his own free will. As deponent declined to do this he was threatened with the withdrawal of every guarantee of safety so that he eventually complied and signed the document; that fifteen days later, upon the arrival of the Intendente, Señor Edwards, and having been unable to liquidate his business, he requested an extension of time but was only able to secure three more days, upon the expiration of which he sailed from the Port of Arica to that of Mollendo; that his family consists of his wife and three children under age; that he was a wine merchant working with a capital of 20,000 pesos, all of which he has lost as well as his earnings, which were 400 pesos

a month; that both the Prefect of Police and the Police Commissioner Vargas, told him that if he would sign a statement promising not to vote against Chile, in case of a plebiscite, and if he would register in the Chilean Military Register, he would be granted every guarantee to enable him to remain in Tacna, but he refused to do this; that Peruvian citizens are assaulted in the public streets and that the members of the Patriotic League, composed of soldiers and officers of the Chilean garrison, parade the streets in civilian attire, closing private houses and business establishments belonging to Peruvians, deponent's establishment having been among these; that he names as witnesses Guillermo MacLean, Carlos and Roberto Valverde, Carlos Pradel and all Peruvians and aliens domiciled in Tacna; that his present address is Callao, Loreto Street, 127.

(Signed)

GERARDO CORVACHO.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 171

In Lima, September 15, 1923, Prudencio Aica appeared, and after being duly sworn testified that he is 30 years of age, a carpenter by trade, widower, born in Pocollay in the Province of Tacna, which is his legal domicile and where he has resided since his birth; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on August 12, last, a police agent from Tacna notified him in the name of the Provisional Prefect Vargas, to evacuate the territory within three days, and that as he knew that he would be arrested, as had happened to others who had been notified, and fearful of the persecutions which the Patriotic League committed against Peruvians, he was compelled to leave on the S. S. *Ebro* on the 21st of the above-mentioned month; that his son has remained in the care of deponent's parents and that he knows that hundreds of young men from the districts of Tacna and Arica have been interned in the Province of Coquimbo and in others of the Republic of Chile; that in addition to conscripting young Peruvians for the Chilean army another form of persecution consists in the periodical invasion by the soldiers of the Chilean Garrison of the estates and farms, destroying crops and taking the fruit; that his witnesses are Vidal and Jacinto Jufra, Julio Herrera, Gilberto Espinoza and many others recently expelled from Tacna; that his present residence is Callao, Puno Street. Deponent states further that



he knows that soldiers from the Chilean Garrison set fire to a house belonging to the Basadre Martinez family and upon the young Peruvians Miguel and Marco Reinoso having testified before the Judge of Tacna respecting this occurrence, they were arrested and subsequently disappeared.

(Signed)

PRUDENCIO AICA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 172

In Lima, October 2, 1923, Guillermo Rocha Benavides appeared and after being duly sworn testified that he was 29 years of age, born in Tacna, unmarried and a clerk by occupation; that since 1912 he was employed by the British Steamship Company whose itinerary is between Valparaiso and Panamá and that between trips deponent lived in Valparaiso; that he is inscribed in the Civil Register of Tacna and that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that he is inscribed in the Peruvian Military Register and that in January, 1919, on one of the voyages of his ship *Peru* where he was employed as baggage master, on the vessel touching at Arica he went on shore to see some of his family which resided there and to get news of other relatives who resided in the City of Tacna; that as soon as he landed he was assaulted by soldiers of the army who attacked him because he was a Peruvian and he was only saved from death through the interposition of various passengers, belonging to a French operatic company, which were travelling on the same steamer to Callao and were going on shore likewise, to see the sights; that owing to this assault he at once returned to his ship and on reaching Callao he decided to resign from his position on account of what had taken place and the persecutions suffered by all Peruvians which made it impossible for him to continue travelling on the Chilean coast; that on that occasion he witnessed that many Peruvian friends of his, among them, Sr. Lacunza, employed by the Cable Company of the Port of Arica, were assaulted in the public thoroughfares while the gentleman whom he specifically mentions was relieved of his money, his jewelry and all the papers in his possession and that that same day all these persons were forcibly put on board the steamer *Peru*; that his family consists of his father and five brothers under age who are at present in Tacna but who have been recently notified to leave the country and for whom deponent

is at present endeavoring to secure passage, since they have no means for such purpose, especially in view of the short notice given them by the Chilean authorities; that on the occasion of one of his voyages to Valparaiso several young Peruvians, among them a young man called Linares, were forcibly put on board and taken to effect their military service in the Chilean army; that on this occasion deponent was able to hide this young man Linares and furnished him the opportunity to escape and return to Peru and that he is at present residing in Lima; that during the frequent trips which he made along the coast, he always went on shore at the Port of Arica while the steamer remained in port and several times during 1918 he witnessed the persecutions carried out against Peruvians, such as forbidding them to go on board, while he also witnessed, at different times, the forcible conduction on board of many Peruvians who had been expelled and were brought to the ship by police agents or in the custody of civilians who turned out to be members of the Patriotic League; that his present residence is Lima, Quinta Saux No. 50.

(Signed) GUILLERMO ROCHA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 173

In Lima on October 26, 1923, Valerio Colque y Marquez appeared, and after being duly sworn stated that he is 20 years of age, merchant, unmarried and born in Arica, that his legal domicile was the Valley of Lluta up to the time of his expulsion, that he is inscribed in the civil register of the Port of Arica, and that he was compelled to register in the Chilean Military Register, while he is at present making arrangements to be inscribed in the Peruvian Military Register; that he was prosecuted in the Court of Arica by Judge Pedro Cuevas for an alleged offence against the Law of Recruits and Substitutes notwithstanding the fact that he is a Peruvian citizen; that a short while later he was summoned by the police officer Vila to appear before the Judge mentioned above to hear the sentence pronounced against him which condemned him to two years' service in the Chilean army and 50 days' imprisonment and that a copy of the sentence was refused him notwithstanding his request for the same; that he at once instituted an appeal against this sentence before the Court of Iquique, and that owing to these difficulties and being threatened with conscription in the Chilean army, he took passage the next



day in the S. S. "Huasco" for Callao, that is to say on September 11, last; that his family consists of his parents and seven brothers, of which four are under age, and who are all living in Arica and suffering persecutions; that it is a fact that the Chilean authorities through special commissions recruit young Peruvian citizens from the outlying districts and send them to the Province of Coquimbo; that he witnessed, notwithstanding the secrecy with which such recruiting is carried out, the bringing in of a group of Peruvians for the Coast Artillery Regiment of Arica, among whom he recognized Humberto Giron, Juan Gandolfo, Luis Cañipa, Manuel Pizarro, Andres Collao, Adan Mamani, Primitivo Corvacho and Manuel Corvacho who were forcibly seized in their private domiciles during the night; that Peruvian farmers in the valleys of Arica are compelled to engage Chilean laborers for the tilling of their fields who are specially contracted for by a man called Morales who is also the secret agent of the Chilean Government; that merchants and manufacturers have been warned to discharge all Peruvian employees and to give their positions to Chilean citizens; that Peruvians are molested and even assaulted in the public streets while recently, within the last two or three months, the Peruvian citizens who are expelled and who formerly were allowed to return to Peru are now compelled to travel to the Southern provinces of Chile; that the witnesses to all the above are Ernesto Cano, Victor Palomino, Justo Marin, Roque Cornejo, Mariano Laura and all the expatriated citizens who are at present in this city and who have recently arrived; that his present residence is Callao, Bolivia Street, No. 52.

(Signed) VALERIO COLQUE.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 174

In Lima on the 30th of October, 1923, José Eugenio Gil appeared and after being duly sworn testified that: He is 18 years of age, born in Pachia, district of the Province of Tacna, farmer, unmarried, legally domiciled in Pachia where he has resided all his life, and inscribed in the Civil Register of Pachia; that on the 4th of the present month at daybreak two police agents appeared at the residence of his parents for the purpose of arresting him as well as his brother, Carlos Gil, and taking them to the Police Barracks in the city of Tacna for the purpose of enrolling them in the Chilean army, but that they managed to hide; that at nine

of that same morning the two police agents returned and minutely searched their home but were not able to arrest them because they were hiding in the woods; that that same night, fearful of the consequences of their position and so as to escape being conscripted, since they were Peruvian citizens, they decided to leave Pachia, together with 19 friends of theirs who were likewise being persecuted for the same reason, and proceeded towards the Peruvian frontier at Sama; that his family is composed of his father and eight brothers of whom four are under age and who have remained with his family in the city of Tacna; that on the 4th of October, while he was in hiding with his friends, a great number of young men from Pachia were taken by the authorities and sent south to effect their military service with the Chilean army; that among these he knows of Aquilino Palza, Polo Rodriguez, Grimaldo Coaila who were all severely mishandled, one of whom, Modesto Rios, was so severely wounded that he had to be taken to the hospital in Tacna; that all the inhabitants of Pachia both in the town and in the outlying districts are continually assaulted by Chilean soldiers who do not cease to molest the farmers, withholding from them the water necessary for their crops, seizing their harvest and fruit, and finally forbidding them to hold any commercial intercourse with the valleys and highlands of Peru, which implies for these people serious monetary loss; that his witnesses are Pedro Rejas, Julio Rejas, Carlos Valdez, Hernando Menendez and all the inhabitants of the town of Pachia; that his present residence is Lima, Piura Street, No. 735.

(Signed) JOSE E. GIL.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 175

In Lima, November 2, 1923, Máximo Lanchipa Cáceres appeared, and after being duly sworn testified that: He is 24 years of age, a clerk by occupation, born in the city of Tacna, which is his legal residence, and unmarried, inscribed in the Civil Register of Tacna and that on the 29th of June last, he made a declaration in the Primary Court of Tacna to the effect that he was not inscribed in the Military Register because he was not obliged to serve in the Chilean army owing to his Peruvian nationality; that this statement having been drafted by the Judge, Lamberto Caro, deponent signed it; that as he knew that a sentence would be issued against him as had happened in the case with



his other friends who had been sentenced under the provisions of the Law of Recruits and Substitutes, and also taking into consideration that the Drafting Commissions were incessantly detaining and conscripting young Peruvians, on the 22nd of October, he was able to leave the city of Tacna and take passage on the steamer "Oriana" from the Port of Arica to that of Callao; that his family consists of his father and five brothers over age, of which three of the former and three sisters are still in Tacna; that as a consequence of having left the territory he has lost his business which was that of a cattle raiser and his earnings which amounted to 300 pesos a month; that among the persons conscripted he remembers Vildoso and Yañez who were apprehended in the streets and who resided in the City of Tacna; that the authorities mistreated and assaulted Peruvian citizens both in their homes and in the public thoroughfares, among which he remembers the specific cases of Sr. Ostolaza and the attack and destruction of the printing establishment of Daniel Crespo; that witnesses to the above statements are Carlos Lanchipa, Alberto Palza, Humberto Sánchez, Alejandro Paredes and all the inhabitants of Tacna; that his present address is Callao, Cuzco Street, No. 152.

(Signed)

MAXIMO LANCHIPA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 176

In Lima, November 5, 1923, Pedro Jufra appeared and after being duly sworn testified that: He is 18 years of age, a farmer, unmarried, and born in the City of Tacna which is his legal residence and where he has resided all his life, in possession of his baptismal certificate and inscribed in the Peruvian Military Register, and further that being aware of the intention of the authorities to arrest him to effect his military service in the Chilean army and to have him inscribed in the Chilean Military Register, and in addition, fearful of the abuses and persecutions carried out by the Chilean authorities in the persons of other fellow-citizens, he decided to leave the territory in occupation by Chile and proceeded to the Peruvian Provisional Frontier of Sama on the 29th of July, last; that his family consists of his mother and two brothers who have remained in Tacna and are being continually persecuted; that the Chilean soldiers incessantly mistreat Peruvian farmers by depriving them of their crops,

attacking their homes and withholding the water necessary for their labors; that witnesses to the above are Pedro Meran, José Ara, Martin Florez, Jufra and in general, all those who have lately been expelled from the Province of Tacna; that his present residence is the City of Callao, Piura Street, No. 155.

(Signed) PEDRO JUFRA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 177

In Lima, November 5, 1923, Martin Flores Yufra appeared, and after being duly sworn testified that he is 21 years of age, a farmer, unmarried, born in the City of Tacna, which is his legal domicile, in possession of his baptismal certificate and inscribed in the Peruvian Military Register; that aware that he was being sought for as were other Peruvians so as to ship them to the Southern ports of Chile, and in his anxiety to avoid this persecution, he decided to leave the territories in Chilean occupation and proceed to the Provisional Peruvian Frontier of Sama on the 1st of October, last; that his family is composed of his mother and brother, under age, who have remained in Tacna; that the Chilean authorities ceaselessly persecute Peruvian citizens by endeavoring to have them effect their military service in the Chilean army, while even the market women who had stands in the public market of Tacna have been expelled a year and a half ago and their places given to Chileans brought from the Southern provinces of Chile for that very purpose; that Peruvians are not only chased through the streets but are even beaten without any provocation, the authors of these abuses being the soldiers of the Chilean Garrison; that his present residence is the Port of Callao, Piura Street, No. 155.

(Signed) MARTIN FLORES YUFRA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 178

In Lima, November 12, 1923, Mariano Laura appeared and after being duly sworn testified that he is 47 years of age, a merchant, married, born in the City of Tacna which was his legal residence for the 12 years preceding his expulsion; that he is inscribed in the Peruvian Military Register and that, owing to



the continued persecution of the Chilean authorities against his children and deponent owing to their Peruvian nationality and for the purpose of securing their inscription in the Chilean Military Register as well as for all the difficulties which were put in the way of the carrying on of his business, he was compelled to transfer the latter to an alien and leave the Port of Arica for Callao on the 10th of last month; that his family consists of his wife and two children under age whom he was obliged to leave in Arica because he would not serve in the Chilean army; that his business was that of a dairyman and was assessed at 10,000 pesos but owing to the persecution inflicted on his successor by these same authorities, the man has not been able to pay him the value of the transfer; that his losses amount to 10,000 pesos and his income which was 1500 pesos a month; and that it is true that the Chilean authorities are interning young Peruvian citizens in Copiapó; and that during the month of last March, about 150 persons of all ages were recruited and taken to Copiapó in the steamer "*Taltal*," a fact to which he is able to personally testify because these persons had to pass in front of his house when being taken to the Coast Artillery Barracks at Arica next to which stood deponent's residence, while these recruits belonged to the districts of the Province of Arica among whom was a young man called Juan Medina, the brother of one of deponent's servants who wrote from Copiapó advising that he was there and serving with the O'Higgins Regiment No. 13, notwithstanding his Peruvian nationality; that the Chilean police agents continually provoke and assault Peruvians with no considerations for age, among such assaults being those committed against the persons of José Rueda, Jorge Acevedo, Guillermo Carlos, Manuel Albaracin, Manuel Rondon, to which deponent can personally testify; that Peruvian business men and manufacturers are persecuted in different ways, some by having their permits withdrawn and others having their places of business attacked as happened to Luis Baretta quite recently; that the farmers of the valleys are compelled to sell their produce to the owners of the market stands who are Chileans, and in agreement with a price which has been arbitrarily fixed by a municipal inspector, while they are likewise forbidden to sell their produce in any other manner or to any other persons under the severest penalties and threats of personal violence; that his witnesses are Enrique Guerra, Eduardo Cano, Santiago Nacarino and his son, José Rueda, Lorenzo and José

Badaracco and in general all the Peruvians who have been expelled; that his present address is Lima, Castilla Street, No. 977.

(Signed) M. LAURA DELGADO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 179

In Lima, November 14, 1923, Edilberto Andrade V. appeared and after being duly sworn testified that: He is 22 years of age, a clerk, unmarried, born in Arica and legally domiciled in Tacna from 1906 to 1920, in possession of his birth certificate and inscribed under compulsion in the Chilean Military Register and also in the Peruvian Military Register; that in May, 1920, his father in Arica was notified by the police authorities to leave the territory within 24 hours, the only reason given being that he was of Peruvian nationality, a pretext for expulsion which was used at the time against all his fellow-citizens; that deponent was a student and lived under the protection of his parents, owing to which he was obliged to follow them but that besides the hostility shown to the students of Peruvian nationality in the educational establishment was such that it was impossible to remain there any longer; that his family consists of his parents and a sister at present with deponent in this city; that at the date given above, frequent meetings arranged by the Chilean authorities regularly took place and usually ended by attacks on the property of Peruvians and against their persons; that in addition, every kind of intimidation was directed against citizens of Peruvian nationality which kept them in a perpetual condition of suspense and alarm, while it frequently happened that the residences of Peruvian citizens would appear marked with a large black cross to signify that they would shortly be looted; that students and pupils of the public schools were continually urged and threatened to register as Chileans and upon their refusal they were told that they need not attend the schools; that his witnesses are José Carrasco, Carlos Carrasco, Gerardo Vargas, Manuel Belaúnde, Enrique Ward and others; that his present residence is Callao, Mexico Street No. 34; and that the persecutions suffered by his family consisted in the attack and stoning of their house in Dos de Mayo Street in the Port of Arica, carried out by persons connected with the Port and directed by police agents and which occurred on the 24th of December, 1919.

(Signed) E. ANDRADE V.

(Signed) GALLAGHER Y CANAVAL.



In Lima, November 16, 1923, Juan Alberto Quevedo appeared, and after being duly sworn testified that: He is 40 years of age, a merchant, married, born in the City of Trujillo and domiciled in Tacna since 1907 to 1920, when he was expelled, inscribed in the Peruvian Military Register and that on the 27th of August, 1920, with no justifiable reason, the Inspector of Internal Revenue imposed a fine of 2,500 pesos which deponent paid, and that on the following day in the police barracks the Prefect, Sr. Florentino Herrera, informed him that on account of his Peruvian nationality he could no longer reside in the Province of Tacna and Arica and notified him to leave the territory within 24 hours and by means of threats made him sign a document in which he declared that he was leaving the City of Tacna of his own free will; that from that moment guards were stationed at his bakeries called "La Estrella" and "La Genovesa" of which he was the proprietor; and being deprived of the exercise of his trade and fearful of the threats which the authorities had made against him in case the order of expulsion was not effected, he determined to take passage on the steamer "Guatemala" for Callao; that his family consists of his wife and three children under age, who were obliged to leave the City of Tacna three months after the departure of deponent owing to the persecutions directed against them; that he was the proprietor of two baking establishments, although, according to the deed of incorporation he was only the manager thereof, a procedure he had been obliged to adopt to enable him to work unmolested by the authorities, so that with his expulsion from Tacna he lost the total value of both businesses; that he estimates his losses in 60,000 pesos and his earnings which were 1,500 pesos a month; that the Patriotic League of Chile managed by the Secretary of the Intendency, Sr. Armando Sanhueza Libano, Sr. Armando Holley, Clerk of the Civil Registry and Mayor and by the Chiefs and Officers of the Garrison of Tacna constantly held meetings which ended in attacks and in the looting of business establishments and the property owned by Peruvian citizens whose houses were continually raided, their correspondence violated, while soldiers of the garrison took by force the crops and the cattle belonging to farmers, who are most of them all Peruvian nationality, and who are obliged by the authorities to appoint as their Water Delegates for the Rivers Caplina and Uchusuma, Sr. Manuel Corbalon, Treasurer of the Chilean Revenue, and Sr. Fernando Perez, Mayor of the City of



Tacna, who appropriate for their personal use the water which should go by right in the community, while in addition they commit all manner of abuses such as imposing arbitrary fines which they likewise appropriate to their personal advantage; that witnesses to the above are Julio Forero, Luis Zevallos, Antonio Chiarella, Justo Marin, Americo Bollo, Pedro Lapeyra and Carlos Metraud; that his present residence is Lima, Marañon Street, No. 440.

(Signed)

J. A. QUEVEDO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 181

In Lima, December 20, 1923, Mariano Siña appeared and after being duly sworn testified that he is 37 years of age, a carpenter, widower, born in Tacna which is his legal domicile, in possession of his baptismal certificate, duly inscribed in the Civil Register of the province and in the Peruvian Military Register. Deponent testifies that on August 26, last, the Provisional Prefect of Police of Tacna, Sr. Enrique Vargas, notified him to leave the territory within ten days after having kept him confined and incommunicado in a cell for 24 hours; that when the ten days' time limit had expired owing to an appeal which he presented to the police authorities, he was able to secure an extension of 4 days within which he left on the steamer "Oroya" for the Peruvian Port of Mollendo, whence he continued his voyage to Callao (counter-foil of deponent's steamer ticket as well as a passport issued to him by the Bolivian Consul in Arica and a vaccination certificate issued by the Departmental vaccination Office of Tacna are attached to the present affidavit). That his family is composed of his mother, his mother-in-law and a brother who have remained in Tacna; that deponent and the persons mentioned above, with the exception of his mother-in-law, are owners of three houses and a farm situated in the City and in the outskirts of Tacna and which are assessed at 20,000 pesos; that his losses are 3,000 pesos and his earnings which were 240 pesos a month; that the internment of young Peruvian citizens in the Southern provinces of Chile is a well known fact, though the Chilean authorities endeavor to carry out these internments under the greatest secrecy, while the families of the victims continually threatened and terrorized, do not dare to denounce the abuses committed against their sons; that Peruvians are



constantly assaulted in the public streets, being arrested and conducted like criminals to the police stations where they are detained; fines are imposed upon them arbitrarily and they are tortured by being flogged; that soldiers from the garrison in complicity with the police authorities overrun the outlying districts, destroying and appropriating the crops belonging to Peruvian farmers whose complaints are unheeded by the police, while the threats made against them if they complain, are usually carried out to the letter; that deponent specially remembers such occurrences because he also is the owner of a farm and has therefore personally experienced all the abuses which he relates as well as the withholding of the necessary water by the Treasurer of the Revenue, Manuel Corbalon, Water Delegate for the River Caplina, an office which he exercises against the wishes of the members of that community who are almost all of them Peruvian citizens but which he exercises through the imposition of the police and judicial authorities of Chile, while the said Corbalon does not scruple to appropriate part of this water and uses the remainder for purposes of traffic; that witnesses to the above facts are Daniel Crespo, Francisco Santamaria, Lorenzo Ostoloza, Carlos Valdez and Antonio Salleres; that his present residence is Callao, Apurimac Street, No. 93.

(Signed)

MARIANO SIÑA H.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 182

In Lima, November 21, 1923, Claudio González appeared and after being duly sworn testified that: He is 18 years of age, a typesetter, unmarried, born in Tacna which is his legal domicile and where he has resided all his life; that on September 12 last, Sr. Carlos Nercaseaux Prieto, editor of "Pacífico" in whose establishment he worked, informed him that on the 25th he would have to appear, together with two other Peruvian friends, Carlos Berrios and N. Escobar, in the office of the Civil Register for the purpose of registering and accomplishing their military service in the army; that deponent decided he would not comply with these instructions owing to his Peruvian nationality, so he later determined to leave the City of Tacna the following day, that is, the 13th of September, and proceeded to Arica where he took passage for Mollendo on that same date in the steamer *Ebro*; that his family consists of his father and five brothers of which two are under

age and who have all remained in Tacna; that he is aware that the Chilean authorities have arrested a great number of Peruvian young men, some of which he has heard have been taken to the Plains of Iquique and others to Copiapó; that among these young men he knows Wenceslao Zavala and Alfredo Linares; that it was a frequent occurrence for the police officers to stop young Peruvians, ask to see their identification papers and then tear these up, expelling the owners from the territory; that Peruvian employees were dismissed and replaced by Chileans as happened to his brother, Emilio, one of the employees of the Municipal Theatre who was dismissed without reason and replaced by a Chilean citizen upon the orders of the Intendente Sr. Luis Barcelo Lira; that witnesses to the above statements are Felix Luna, Humberto Castillo and Dante Vargas; that he is in possession of his vaccination certificate and that his present residence is Lima, Mandamientos Street No. 297.

(Signed)

CLAUDIO GONZÁLEZ.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 183

In Lima on November 24, 1923, Enrique Masuelos Peralta appeared, and after being duly sworn testified that: He is 30 years of age, a farmer, born in the City of Tacna, married and legally domiciled in the Port of Arica since 1905; inscribed in the Civil Register of the Province and in the Chilean Military Register against his will; that on October 2, last, a police agent notified him verbally in the name of the Prefect of Police to the effect that he should leave the City of Tacna within 15 days; that upon the expiration of this time limit and through fear of the persecution and serious consequences to which he was exposed in case he did not comply with the order of expulsion, he decided to sail on the steamer "Oroya" from Arica to Callao; that his family consists of his wife and one son under age who accompanied him in his expulsion; that his losses are 400 pesos and his earnings which were from 300 to 400 pesos a month; that the Chilean authorities continually mistreat Peruvian citizens for no apparent reason wherever they are met with, either in the public streets or in their private domiciles which are raided by the police officers; that deponent has witnessed numerous cases of looting, both in business establishments and private residences of Peruvian citizens; that the Patriotic League of Chile, in connivance with the author-



ities, carry out the most unheard of abuses; that all business houses are required by the authorities to dismiss their Peruvian employees and replace them by others of Chilean nationality; that life in general means living under the threat of constant abuses and persecution if one happens to be of Peruvian nationality or possesses Peruvian interests; that latterly colonists from different provinces of Chile have been brought to Arica for the purpose, so it is said, of being able to vote in case of a plebiscite; that witnesses to the above statements are Juan Guerra, Teofilo Contreras, Martin Arteaga and in general most of the inhabitants of Arica; that his present residence is Callao, Washington Street No. 13. While deponent adds as exhibits in the present affidavit, his identification card issued by the Chilean Police Authorities of Arica, and three testimonials granted by well-known firms of Arica with whom deponent had worked, testifying to his unvarying good conduct and honesty over a course of years.

(Signed)

ENRIQUE MASUELOS P.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 184

In Lima, November 24, 1923, Alfredo Rospigliosi appeared, and after being duly sworn testified that: He is 37 years of age, unmarried, born in the City of Tacna and legally domiciled in the City of Puno; that on October 8, last, deponent left Puno for Tacna and when about 3 miles more or less from the town of Lairo, he was detained by a sergeant and a corporal of the Corps of Carbineers who took from him by violent means the horse he was mounting, 24 Peruvian pounds, 73 Bolivian "pesos" and 3 Peruvian "soles"; that after this assault he continued on his way to Pisacoma where he remained two days, going thence to Candarave and following on to Locumba, from which place he proceeded to Lima, sailing from Mollendo on the steamer *Huallaga*; that his family is composed of his mother and five brothers of whom two are under age; that in partnership with his brothers he owns a farm in the neighborhood of Tacna, and four houses in this latter city, assessed at 86,000 pesos, all of which property is at present left absolutely uncared for; that his losses amount to 20,000 pesos and his earnings which were 400 pesos a month; that a witness to the above is Sr. Mariano Vargas, Secretary of the Prefecture of Locumba and that his present address is Lima, Sacramento de Santa Ana Street, Barracks of the Regiment of the Republican

Guard. Deponent attaches to the present affidavit his identification card and his vaccination certificate issued by the Chilean authorities, as well as a receipt signed by the Appropriate Chilean Authority of Huamani for deponent's passport No. 3541, which had to be deposited with the latter, and a permit issued by the Consul of Bolivia in Arica to enable deponent to sail for Mollendo.

(Signed) ALFREDO ROSPIGLIOSI.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 185

In Lima, November 26, 1923, Dionisio Gutierrez appeared, and after being duly sworn testified that: He is 28 years of age, bricklayer by occupation, unmarried, born in Sama and legally domiciled in Arica for the 26 years preceding his expulsion; inscribed in the Civil Register of Tacna, while in December, 1918, at the time when he was working in Lluta, he was taken by force, together with 9 other young Peruvian citizens, and brought to Arica where an attempt was made to have them register in the Chilean Military Register, but that deponent refused, owing to his Peruvian nationality, and subsequently having succeeded in hiding himself and being fearful of the persecution of the authorities, he returned to Lluta; that he is inscribed in the Peruvian Military Register and that on the 2nd of October, last, the Police Agent Valdez, appeared in deponent's private domicile in Blanco Encalada Street, for the purpose of arresting him and obliging him to serve in the army, in consequence whereof deponent hid and decided to leave the Port of Arica for Sama, which he was able to do on the 10th of October; that his family consisted of his parents and 5 brothers and that his losses amount to 200 pesos a month which he earned at his trade; that among the young men interned in Copiapó by the Chilean authorities he can give the names of Carlos Ordoñez, Agustin Cordova and Juan Cornejo, all denizens of Arica; that Peruvian citizens are refused all work unless they can exhibit an identification card in which they appear to be Chilean citizens; that witnesses to the above are German Mena, Armando Chumbo and Aquiles Vargas, and that his present address is Lima, Barracks of the Republican Guard Regiment.

(Signed) DIONISIO GUTIERREZ.

(Signed) GALLAGHER Y CANAVAL.



In Lima, November 28, 1923, Juan Segundo Carrero appeared, and after being duly sworn testified that: He is 49 years of age, a merchant, married, born in the Port of Arica and legally domiciled therein, and inscribed in the Peruvian Military Register; that in August, 1914, the Governor of the Department of Arica, Luis Arteaga, required deponent to sell him two pieces of real estate located in Cadenas Street and the other facing the Customs House and the House of the Governor for the amount of 1,200 pesos in all, which deponent refused because he had no intention of selling this property and because in addition, the price offered him was ridiculous since the second piece of property was assessed in 17,000 pesos; that owing to his refusal several police agents a few days later, appeared in deponent's farm situated in the Valley of Azapa and took him prisoner upon orders issued by the Governor who accused deponent, for the purpose of carrying out this abuse of authority, of being a cause of disturbance in the matter of apportioning the water for irrigation purposes, an accusation which was absolutely unfounded and which, in addition, was outside the province of the political authorities; that he was only able to secure his freedom through the intercession of Alberto Foccasi, an Italian subject and the owner of the property which he managed and under whose bond he remained working for two months longer in the Valley of Azapa during which time the Governor did not cease to summon him for the purpose of inducing him to sell him the property above mentioned either by direct sale or by transfer, deponent persisting in his refusal notwithstanding a series of persecutions and abuses which deponent had to suffer in consequence of this refusal, and which ended by completely unnerving him and making his residence in Arica intolerable to such an extent that he decided to hide, and eventually fled from the territory to Callao; that the authorities who were responsible for his arrest and the hostility directed against him were the Sub-Delegate of Azapa, Enrique Ostornol, the Sergeant Nouquen, the Governor Luis Arteaga and several police agents whose names he does not recall; that his family consists of his wife and four children two of which are under age, and who were obliged to follow him in exile; that he is the legitimate owner of the properties to which he has referred above and of which the Governor Luis Arteaga has arbitrarily taken possession, violently dispossessing deponent of the titles thereto at the time that he was arrested, one of the titles being dated a considerable number of

years back; that his losses are 30,000 pesos and his earnings which amounted to 900 pesos a month; that the Chilean authorities during the years previous to his departure from Arica, had forbidden all Peruvian citizens to form part of the guilds of long-shoremen, boatmen loading and unloading of merchandise; had closed all Peruvian schools and expelled the priests of that same nationality and had destroyed the printing press of the Peruvian periodical "El Morro de Arica"; that witnesses to the above are Juan José Vidal, Pedro Pescetto, Alberto Foccaci, Gerardo Vargas H. and the Priest Berroa; that his present residence is Callao, Marco Polo Street No. 126; that the Governor of Arica, Luis Arteaga, taking advantage of his position, and for the purpose of enriching himself to the detriment of Peruvian citizens who are almost exclusively the owners of all the property in the Province of Arica, did not hesitate to employ the same means with other victims as deponent has related was suffered by him.

(Signed) JUAN S. CARRERO.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 187

In Lima, November 28, 1923, José Sánchez appeared, and after being duly sworn testified that: He is 38 years of age, a farmer, married, born in Tacna which is his legal residence and where he has lived all his life, inscribed in the Civil Register of the Province and that towards the end of last September, the police agents Barahona and Soto appeared in deponent's domicile for the purpose of arresting him and sending him to the Police Barracks intending to intern him to the South of Arica, according to statements they made to deponent's wife who received them at the time, for deponent had managed to hide on their arrival; that fearful of the consequences which his arrest would imply, and in view of the desperate situation thus brought about, deponent decided to leave the territory which he was able to do on the 1st of October, travelling towards the Peruvian frontier at Sama, whence he continued his journey in the company of a large number of fellow-citizens who were leaving for the same reasons; that his family consists of his wife and four children under age, an aunt of his wife, and a god-child whose education he had undertaken, all of whom had to leave, owing to the decree of expulsion issued against them; that his losses are 2,000 pesos for the almost total loss of his business connected with a farm which he worked, and



which brought him in about 150 pesos a month; that the Chilean authorities intern Peruvian young men but fail to state the places where these are sent to, deponent recalling the cases, among others, of Alberto Ortiz, Marcelino Sanchez, José Rosas Ramos and Eugenio Carpio; that the Chilean authorities withhold the necessary water from all farmers of Peruvian nationality, allow the soldiers and public officials with the connivance of the police, to rob them of their harvests and their cattle, while the said authorities assault, mistreat and insult the denizens of these places in the public streets and in their own domiciles; that among the abuses committed can be mentioned the systematic violation of their mail in the public postoffices of the different districts; that witnesses to the above are Carlos Ninaja, Cruz Marcos, Corta Vitarte, Carlos Lanchipa and Roberto Solano; that his present residence is Lima, Naranjos Street, No. 1358; that deponent adds as exhibits to this affidavit, his identification card issued by the Chilean authorities, and the passport granted by the Bolivian Consul in Arica to his wife, sons and his wife's relative in connection with the order of expulsion issued against them.

(Signed) JOSE SANCHEZ.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 188

In Lima, November 28, 1923, Roque Cornejo appeared, and after being duly sworn testified that: He is 20 years of age, a student, unmarried, born in Arica which is his legal domicile and where he has resided all his life, in possession of a baptismal certificate, and that in February, 1922, having been informed that his name was on the list of the Chilean authorities who intended to arrest him and make him serve in the army, which was repugnant to his patriotic feelings as a Peruvian, and having suffered innumerable persecutions which made life quite unbearable, he decided to leave Arica, taking passage on the steamer *Chile* for Callao; that his family is composed of his mother and three brothers, one of whom is under age, all of whom had likewise to leave the territory owing to hostility of which they were the victims; that the Chilean Patriotic League composed mainly of soldiers and officers of the army, of the public officials and police agents, continuously held meetings, not only for the purpose of molesting and abusing Peruvian citizens but also for the purpose of securing plunder through the attacks and the lootings directed

against the establishments owned by these; that the Chilean authorities have notified all business houses for the purpose of preventing Peruvian employees and laborers from securing work; that under the pretext of military service requirements, young Peruvians are conscripted and violently abused while in custody, as the best means of securing their immigration; that witnesses to the above are Valerio Colque, Agustin Laura, Julio S. Soto and Edilberto Andrade, and in general, all the Peruvians that have been expelled from Arica; that his present address is Callao, Bolivia Street, No. 52; that deponent presents herewith as exhibits to the present affidavit, a vaccination certificate issued by the Chilean authorities, and the certificate issued by the Commercial Institute of Arica, showing the credits obtained by deponent in that establishment where he experienced such persecution as to compel him to interrupt his course and leave the country.

(Signed) R. CORNEJO MARQUEZ.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 189

In Lima, November 30, 1923, Alejandro Arce appeared, and after having been duly sworn testified that: He is 54 years of age, a merchant, married, born in Tacna which is his legal residence and where he has resided all his life; that he is in possession of his baptismal certificate; that on the 1st of October, last, he left the City of Tacna for that of Ilabaya, in the free part of the Department of Tacna, furnished with a passport issued by the Chilean authorities which allowed him 20 days for the trip, and that on arrival at the frontier, he handed this passport over to the Chilean Post on that frontier (Sama); that during his trip he was delayed two days over and above the time stipulated in his passport, so that when he returned and requested his passport from the Chilean Post to enable him to enter the City of Tacna, soldiers who were stationed at that place forbade him to continue, informing him that they had received instructions from their superiors to forbid him to return to Tacna, whereby he was compelled to go back to the Peruvian frontier and continue on to the Capital; that his family is composed of his wife and seven children of which three are under age, all of whom are at present in Tacna with the exception of one who resides in Bolivia; that he owns a house in the City of Tacna assessed at 8,000 pesos, while his losses amount to 12,000 pesos and his earnings which were 600



pesos a month; that it is a fact that young Peruvians are interned in places to the south of Arica; that he does not recall their names because they proceeded from the country districts, but that he knows they are Peruvians because the denizens of those places are all, almost without exception, of that nationality, since in those districts the only Chilean citizens are the public officials and the authorities, deponent adding that he saw hundreds of the denizens from these outlying districts brought into the city loaded on trucks whose destination was the Port of Arica; that young Peruvians are conscripted into the Chilean army and others are interned to the south of Arica, while others are summoned and proceeded against in the courts as violators of the Law of Recruits and Substitutes, all of which measures are undertaken for the purpose of compelling the denizens of these territories to leave their homes; that in the City of Tacna the soldiers and officers of the Chilean army are the ones mainly responsible for the continual attacks on and mistreatment of Peruvians, proceedings which are connived at by the police authorities and General Headquarters of the above-mentioned army, who pay not the slightest attention to the complaints which the victims are sometimes goaded into making to these authorities; that these abuses have latterly become more frequent and virulent in their intensity to the extent of including several foreigners who could no longer silence their feelings upon witnessing such unusual sights; that the poor farmers are deprived of their crops and even their cattle; that witnesses to the above are Felipe Barrera, Julio Forero, Rodolfo Villena, Mariano Giron, Alfredo Rospigliosi and in general, all the recently expelled Peruvians who have reached this city; that his present residence is Lima, Jesus Nazareno Street, Hotel Europe; that deponent furnishes as an exhibit to this affidavit his identification card issued by the Chilean authorities.

(Signed) ALEJANDRO ARCE.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 190

In Lima, November 30, 1923, Julio Cesar Rodolfo Villena Quelopana appeared, and after being duly sworn testified that: He is 17 years of age, a clerk, unmarried, born in the City of Tacna which is his legal domicile and where he has resided all his life; in possession of his baptismal certificate and inscribed in the Civil Register of the Province; that in the month of March

last, he was notified to present himself for service in the Chilean army in September, but owing to deponent's Peruvian nationality and well aware that this measure was indiscriminately applied and that the consequences of a refusal to comply therewith were most serious, especially as concerns the denizens of the place, deponent decided to leave the Port of Arica on the steamer "*Essequibo*" for Callao; that his family consists of his father and four brothers one of whom is under age, and who have all been expelled by the Chilean authorities; that he owns in company with his brothers, two farms and a small house, situated in Pocollay and Tacna respectively, assessed at 10,000 pesos and which have necessarily been left completely uncared for; that the internation of young Peruvians to the south of Chile is a well-known fact, among which he can name Leoncio Alay, Carlos Molina, Hume domiciled in the City of Tacna; that the soldiers of the Garrison continually attack and loot the properties belonging to Peruvian farmers, and make off with the belongings of persons of that same nationality, deponent recalling specifically the attack, destruction and burning of the estate which Dr. Carlos Basadre owned in Pocollay, the deed of Sergeant Moraga, and several soldiers belonging to the Lancers Regiment stationed in Tacna; that among the assaults suffered by Peruvians he recalls the arrest of the young men Mateo and Miguel Reynoso who disappeared after being taken prisoners and whose location no one has ever been able since then to ascertain; that the denizens are forbidden the free exercise of any business, industry, employment or occupation, being invariably confronted by the most determined hostility, so much so that they are very shortly compelled to give up whatever undertaking they may have initiated; that correspondence is systematically violated whenever it is addressed to a person of Peruvian nationality on passing through the hands of the Post Office officials in Tacna; that witnesses to the above are Julio Gomez, Francisco Gomez, Roberto Rospigliosi, Bernardo Liendo, Luis Sanchez, Jorge Sanchez, Francisco Sanchez; that his present residence is Lima, Portal de Escribanos, Street No. 340.

(Signed)

J. RODOLFO VILLENA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 191

In Lima, December 1, 1923, Eduardo Pinto Pividal appeared, and after having been duly sworn testified that: He is 42 years



of age, a merchant, married, born in Arica which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate and inscribed in the Military Register of Peru; Deponent testifies that towards the end of December, 1918, he was summoned before the Governor of Arica, Sr. Huisler, who, after having informed deponent that his nationality appeared to be doubtful, and having heard the reply which deponent gave, to the effect that he was a Peruvian citizen, he had his Secretary read deponent a document which stated that everything that deponent had earned had been during the period of Chilean occupation, that the Chilean authorities had never persecuted the Peruvians, and finally, that deponent promised not to vote in favor of Peru in case of a plebiscite, and to remain strictly neutral; that upon being asked to sign the above declaration, deponent refused, whereupon he was told that unless he did so he would have to leave the City and the Province of Arica within 15 days, a request for a longer period for the purpose of winding up his affairs having been denied him, he being, instead, threatened by the official in question and violently reproached; that owing to this reason he was obliged to hastily dispose of his business and naturally suffered extreme loss; that he sailed for the Peruvian Port of Mollendo and eventually reached Lima; that his family consists of his wife and six children all under age, who were obliged to follow him into exile; that he was the owner of a seed and grain business worth 25,000 pesos, and that he owned mining property worth 50,000 pesos; that his losses are 15,000 pesos and his earnings which were 1,000 pesos a month; that the Chilean Patriotic League directed by the authorities and members of the army, organized meetings where soldiers, disguised as civilians, public officials and the members of the Longshoremen's Union attacked and looted private residences and commercial establishments belonging to Peruvians; that merchants, manufacturers and farmers of this same nationality were persecuted and hindered in the performance of their business; while the heads of foreign houses were notified to dismiss all their Peruvian employees so as to make room for the Chileans who were brought to the Province for that exclusive purpose; that Peruvian citizens are insulted and assaulted in the public thoroughfares and are denied every guarantee furnished by law; that witnesses to the above are Luis Rondon, Luis Belaúnde, Benigno Garcia, Guillermo Garcia, Pedro Pescetto and all the Peruvians recently expelled from the Province of Arica; that his present residence is Callao, Castilla Street, No.

15; that deponent attaches as exhibits to the present affidavit, the receipts furnished by the Chilean Revenue Department for the dues paid by him in connection with his permit to exercise his business, to sell tobacco, and the tax on his mining property.

(Signed) EDUARDO PINTO P.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 192

In Lima, on December 3, 1923, Tomas Rivera, who, after being duly sworn testified that: He is 44 years of age, a mattress maker by occupation, married, born in Tacna which is his legal domicile; Deponent testifies that on the 8th of September last, a police agent notified him that he would have to appear at headquarters, and having arrived there and having been brought before the head of that department, Barahona, the latter asked to see his identification card and interrogated him respecting his occupation, and upon being given the same was told to appear within two days before the Prefect, Sr. Enrique Vargas, which was effected by deponent, the Prefect informing him that he would have to leave the City of Tacna within 8 days, a period which was extended to 15 days upon deponent's appeal, who, at the proper time was obliged to leave for the City of La Paz, Bolivia, where he remained 15 days subsequently going to Ariquepa and sailing on the 19th of November last, from Mollendo on the steamer *Arubanba*, that his family consists of his wife and a daughter under age who are at present still in Tacna; that he owns a small house in the City of Tacna which is assessed at 12,000 pesos and which is at present rented; that his losses amount to 6,000 pesos, and his earnings which were 250 pesos a month; that the Chilean authorities, on the 26th of September last, through the agency of police officers, arrested all the young Peruvians whom they met in the streets, taking them to the Police Barracks whence they were loaded on trucks and taken to the Port of Arica and shipped south, among whom deponent recognized Wenceslao Zavala; that members of the Garrison overrun the farms belonging to Peruvians, taking away the produce of their fields, while the fact that all private correspondence is violated is likewise true; that witnesses to the above are Juan Pablo Espinoza, Oscar Caceres, Valeriano Rosado Ramos; that his present address is Lima, Sacramento de Santa Ana Street, and that deponent attaches hereto as exhibits his vaccination certificate issued by the Chilean



authorities, as well as the pass issued to him by the Consul-General of Peru in La Paz to enable him to travel to the Port of Mollendo.

(Signed)

TOMÁS RIVERA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 193

In Lima, December 5, 1923, Francisco Flores appeared, and after being duly sworn testified that: He is 40 years of age, a farmer, unmarried, born in the Port of Arica where he has resided all his life and which is his legal domicile; that in September last, the police officer Luis Quiroz, notified him in the name of the Governor to leave the Port of Arica within 8 days, but that as deponent did not obey this order of expulsion he was again notified and threatened, that unless he complied with this order he would be interned in the provinces to the south, owing to which, and aware that this threat had been strictly carried out in the case of numbers of his friends, he determined to take passage for Callao on the steamer *Oriana*; that his family consists of his sister and her six children, all under age, who were obliged to follow him in exile; that his losses amount to 3,000 pesos, for the loss of his harvest and cattle on the farm which he managed, and his earnings which were 700 pesos a month; that it is a fact that the Chilean authorities continually intern Peruvian citizens in the Southern provinces, among them to Coquimbo; that among these deportees he knows of Juan Estoraica, Modesto Corbacho, Fidel Quelopana, Juan Cornejo, Tomas Molina, Aurelio Osorio, Juan Manchego, Juan de la Cruz Corbacho and all the residents in the Valley of Azapa who were seized in their fields and forcibly dragged from their homes, one of these, Modesto Corbacho, being gravely wounded in the head, but was nevertheless taken in this condition to the Police Barracks and that same night placed on board the steamer; that police agents, headed by the Chief of the Intelligence Service called Valdez, continually invade the farms belonging to Peruvian citizens, and among these, that of deponent, forcibly taking possession of their harvests and cattle after having committed the most unheard-of abuses against the persons of the owners; that these same farmers of the Valley of Azapa, who are, for the most part, Peruvian citizens, are required to sell their products in the markets of the Port of Arica at a price arbitrarily fixed by the Chilean Municipal Inspector, Ostornol, while it should be noted

that the buyers of these products are the owners of the market stands, men of Chilean nationality, which have been brought from all points of Chile and settled there for that sole purpose; that the violation of private correspondence addressed to Peruvian citizens is systematically carried out in the Arica Post Office; that witnesses to the above are Manuel Maldonado, Mariano Focacci, Adrian Balcocer, Enrique Cano, Roberto Solis and all the inhabitants of Arica; that his present residence is Callao, Marco Polo Street No. 148, and that deponent attaches hereto as exhibits to the present affidavit, the passport issued to himself and his sister by the Consul of Bolivia in Arica, as well as the counter-foil of his ticket on the Pacific Steam Navigation Company's steamer *Oriana*, No. 13081.

(Signed)

FRANCISCO FLORES.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 194

In Lima, December 5, 1923, Rosendo Carrasco appeared, and after being duly sworn, testified that: He is 49 years of age, a clerk, married, born in Arica which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate, and that, on the 26th of April last, an officer of the Secret Police of Arica called Valdez, notified him of an order of expulsion issued by the Chief Authority, requiring him to leave the territory owing to the fact that deponent was of Peruvian nationality, 15 days being allowed him in which to carry out this order; that upon the expiration of this term deponent secured several extensions due to the several appeals presented by him on the score of the want of funds requisite for such a sudden journey, and the large number of dependents whom he supported, and that upon receiving passages for himself and his family from the Peruvian Government he would be able to carry out the order of expulsion, which eventually became imperative owing to the constant persecution of which he was the victim, making it necessary for him to take passage on the steamer *Oropesa* on the 26th of November, together with his daughter, Maria Angelica; that his family consists of his mother, his wife, six children under age, of his sister-in-law and five nephews also under age, who are all dependent upon deponent; that he owns a house situated in San Marcos Street in the Port of Arica, worth 25,000 pesos, which housed his family; that he estimates his losses in 8,000 pesos, and his earnings which were



700 pesos a month; that it is a fact that young Peruvians are interned in different places in the South of Chile, among the deportees being Lino Velasco, Juan Lanchipa, and Alfredo Castañon, all domiciled in the Port of Arica and forcibly abducted; that Peruvian citizens are continually abused and ill-treated in the streets and public thoroughfares, and even in their own homes by the rowdy element of the Longshoremen's Union, directed by public officials, while at other times they are arrested and taken to the Police Barracks whence they are compelled to leave Arica or are interned to the south, and that during their incarceration they are made to suffer the worst outrages, many cases have been known where they have been pitilessly flogged irrespective of the social standing of the victims or of their honorable antecedents, as occurred with Messrs. Luis Rondon, Guillermo Carlos, José F. Rueda and Jorge Acevedo, not to speak of numerous other instances of persons in humble circumstances whose cases, for that reason, have not secured the same notoriety; that the farmers of the valleys of Arica, in addition to the usual personal abuse of which they are the victims, are obliged to sell their product in the markets of the Port at prices arbitrarily fixed by the Chilean Municipal Inspector, while the buyers are Chilean citizens who have been brought from different parts of Chile and to whom the stands in the market place have been given to induce them to settle in the locality, while it is a well-known fact that the Post Office of Arica violates all the correspondence addressed to Peruvian citizens; that witnesses to the above are Luis Rondon, Juan Lanchipa, Guillermo Carlos, Santiago Nacarino, Enrique Cano and all those recently arrived from Arica; that his present address is Lima, Trujillo Street. Deponent further testifies that his brother, Lorenzo Carrasco, domiciled in the City of Tacna, was expelled from the City on the order of the Intendente, Fernando Edwards, at the beginning of 1919, and had to remain on the Peruvian Frontier of Sama where he finally died. While gravely ill at this place and desiring to return to Tacna to secure medical attention, the Chilean authorities would not permit this, since which time the family of his deceased brother has remained entirely dependent upon deponent. Deponent attaches hereto as exhibits to the present affidavit, his identification card, vaccination certificate issued by the Chilean authorities, as well as the counter-foil of his passage to Callao on the steamer *Oropesa*, No. 12136.

(Signed)

GALLAGHER Y CANAVAL.

AFFIDAVIT No. 195

In Lima, December 5, 1923, Guillermo Molina appeared, and after being duly sworn, testified that: He is 19 years of age, a student, unmarried, born in Tacna which is his legal domicile; that in February, 1919, owing to the persecution which he suffered while a pupil of the Lyceum of the City of Tacna, where he was continually urged to adopt Chilean nationality and should comport himself as a citizen of that country, and as the abuses and ill-treatment committed against all Peruvians increased daily, against which all protection was denied by the police authorities, deponent decided to leave the City of Tacna and complete his studies in Lima in obedience to which decision he sailed on the date given above; that his family consists of his parents and five brothers; that Peruvians had to remain almost continually in hiding, owing to the persecutions and assaults committed by the Patriotic League as a result of their constant meetings, until such time as they could find it convenient to leave the City; that witnesses to the above are Hector and Jorge Diez, José Jimenez Borja and Humberto Villena; that his present residence is Lima, La Mar Street, No. 329. Deponent further testifies that on the 15th of January of the present year, while on his way to the City of Tacna to see his sister who was gravely ill there, and while proceeding to Tarata in Chilean occupation, he was detained by the Commanding Officer of the Chilean Carbineers stationed in that place, who confined him to the Barracks during three days, after which he was expelled to the village of Picaco, situated on the Provisional Frontier of Peru.

(Signed)

GUILLERMO MOLINA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 196

In Lima, December 5, 1923, Antonio Longa Goyonechea appeared, and after being duly sworn testified that: He is 43 years of age, a merchant, widower, born in Tacna which is his legal residence, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that after having been absent for a short time from the City of Tacna, and desiring to return to this city where his family, which is of Spanish nationality, resided, he was confronted by many difficulties and only obtained through the intercession of his family, permission to return through the Port of Arica on September 8, 1922, on the condition of remaining



only one month, upon the expiration of which he was notified to leave the city, and after several extensions had been secured by his family he sailed for Callao on the steamer *Aysen* on the 13th of November, of that same year; that his family consists of an aunt and two cousins who remained in Tacna; that his losses are 8,000 pesos and his earnings, which were 700 pesos a month; that he knows specifically of the expulsion of Manuel Corbacho, Eulogio Jimenez Quelopana; that Peruvians are molested and assaulted in the public streets and even in their private homes, and by soldiers and officers of the Chilean army and public officials; that police agents stop Peruvian citizens upon futile pretexts and impose fines upon them which, when paid, do not secure for them immunity from further molestation; that Peruvian merchants are systematically hindered in their business at times, being made to pay excessively high dues for permission to do business, while at others these permits are arbitrarily withdrawn and renewal thereof denied to them, while at all times guarantees for those who refuse to serve the interests of Chile, and to adopt the nationality of that country, are immediately withheld; that witnesses to the above are Luis Zevallos, Julio Forero, Antonio Chiarella, Eduardo Vargas and Celestino Vargas; that his present residence is Lima, Mercaderes Street, at the Hotel Raymondi.

(Signed) J. ANTO. LONGA.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 197

In Lima, December 6, 1923, Humberto Castillo appeared, and after being duly sworn testified that: He is 19 years of age, a tailor by trade, unmarried, born in Tacna which is his legal domicile and where he has resided all his life, and inscribed in the Civil Register of the Province; that during the first days of October last, police agents appeared in his home desiring him to present himself before the Military Authorities for the purpose of being inscribed in the Military Register; no account having been taken of his objection to the effect that he was of Peruvian nationality; that at the end of the same month the police agent Solis appeared in his domicile and arrested him for violation of the Military Service Law, but that deponent was able to escape and hid during various days, until such a time as he was able to leave the city in the company of several fellow-citizens, proceeding towards the Provisional Frontier at Sama, whence he eventually proceeded towards Lima;

that his family consists of his parents and five brothers who will shortly have to leave the city owing to the persecutions of which they are the victims; that the Chilean authorities continue to intern young Peruvians to the south of Arica, among whom deponent can name Carlos Molina, Wenceslao Zavala, José Rosa Flores, all of the City of Tacna; that Peruvians are assaulted in the public thoroughfares and taken prisoners with no reason whatsoever, and while in custody, they are usually mistreated and then fined, at times being set free on payment of a fine, but at others enrolled in the army; that farmers are especially victimized by having their crops and cattle forcibly taken from them while they are further hindered in their work by having the necessary water to which they are entitled, withheld from them, the principal factor in these abuses being the Treasurer of the Revenue, who is the Water Delegate for the River Caplina; witnesses to the above are Juan Pablo Espinoza, Andres Flores, Alejandro Rospigliosi and his brother José; that his present residence is Lima, Santa Ana Street; that his identification card, issued by the Chilean authorities, was taken from him by Chilean soldiers who stated that they were proceeding according to superior instructions.

(Signed) HUMBERTO CASTILLO.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 198

In Lima, December 6, 1923, J. Guillermo Gómez Salgado appeared, and after being duly sworn, testified that: He is 21 years of age, clerk, unmarried, born in Tacna which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Peruvian Military Register; that on the 31st of December, 1918, he was conducted by police agents, among whom he recognized an officer called Valderrama, before the Prefect, Sr. Florentino Herrera, who required him to sign a document to the effect that every guarantee was furnished to Peruvians in the City of Tacna, and that he was leaving the city of his own free will, because he had been previously notified of the order of expulsion decreed against him, to take effect within 8 days; that deponent agreed to leave the City of Tacna owing to the threats of the Prefect of Police and the persecution which he had already suffered, and refusing, meanwhile, to sign the document above-referred-to; that as deponent's father had likewise been notified to leave the



territory by General Rojas Arancivia within the same date, both of them, after several endeavors, obtained an extension of 8 days upon the expiration of which they took the steamer *Aysen* and proceeded to the Peruvian Port of Mollendo; that his family consists of three brothers who have likewise been expelled by the Chilean authorities and are at present in this city; that in company with his brothers he is the owner of six houses located in the City of Tacna, two farms in the neighborhood of this same city, and 19 lots of grazing ground in the Province of Tarata in Chilean occupation, all of which is assessed at 120,000 Chilean pesos, most of this property, however, being uncared for, is necessarily unproductive; that deponent estimates his losses in 15,000 pesos; that one of the measures of persecution employed by the authorities against Peruvian citizens, is that of exacting from them the presentation of their tax receipts from 1905, and in case they are unable to do so, owing to the considerable number of years which have elapsed, they are required to pay these taxes over a second time, failing which their property is distrained and eventually taken from them; that the denizens of these places, with no regard for age or sex, are continually mistreated in the public streets and even in their private homes, which are systematically raided with the connivance of the police authorities, who refuse all measures of protection or redress when appealed to by these wretched people; that these abuses are so extreme that it frequently happens, that the continual state of suspense in which these people live, brings on nervous disorders which are sometimes fatal, as occurred with deponent's sister, Rosa Elena Gomez, who died of heart disease brought on by the continual state of suspense and anguish suffered by the family, owing to the many persecutions of which they were the victims; that the Chilean Patriotic League directed by the son of the Prefect of Police, the Secretary of the Intendency, Armando Sanhueza, the Clerk of the Civil Register, the Mayor, Armando Holley, and by many officers and soldiers of the regiments in occupation, organized meetings which always ended in the attacks on, and lootings of, property belonging to Peruvian citizens; that witnesses to the above are Jorge Maldonado, Juan Nalvarte, Gonzalo Barrada, Juan Lanchipa, Mariano Giron, Julio Forero, Juan Auza, and all the Peruvians recently expelled; that his present residence is Callao, Buenos Aires Street, No. 267.

(Signed)

J. GUILLERMO GÓMEZ S.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 199

In Lima, December 6, 1923, Félix Luna appeared, and after being duly sworn testified that: He is 19 years of age, a painter by trade, unmarried, born in Tacna which is his legal residence and where he has resided all his life, inscribed in the Civil Register of the Province but not in the Military Register of Chile, although required to do so by the authorities; that having been summoned to the Court presided over by Sr. Maximo Varas for the purpose of making a declaration, the latter informed him that he would have to register in the Chilean Military Register, failing which he would have to suffer 61 days imprisonment and a fine of 40 pesos; but that deponent did not comply with this order owing to his Peruvian nationality and remained hidden in Tacna until the arrival of the Commission, which was to recruit by force all young Peruvians for service in the Chilean army, had been announced, deponent then decided to leave the City of Tacna, which he, in fact, did on the 11th of October, together with six other young men and proceeded on foot towards that portion of the Province termed Tacna Libre; that his family consists of his mother and five brothers of which four are under age, and that he knows that several young men have been interned in Copiapó, among whom he remembers Lorenzo Ramos, a denizen of Tacna, deponent further testifies that on the 7th of October last, he witnessed how the Chief of the Secret Service, Barahona, and the police agents under his orders, detained young Peruvians in the streets of Tacna, among these being José Rosas, Carlos Molina, Juan Bustamante and Wuenceslao Zavala, who were taken to the Pan de Azucar Plain in Antofagasta; that the assaults committed against Peruvians in the public streets by Chileans with the connivance of the police are of daily occurrence; that witnesses to the above statements are Federico Rueda, Humberto Castillo and Alejandro Palza; that his present residence is Lima, Santa Ana Street.

(Signed)

FELIX LUNA.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 200

In Lima, December 6, 1923, Antonio Arredondo appeared, and after being duly sworn testified that: He is 23 years of age, a clerk, unmarried, born in Arica which is his legal domicile and where he has resided all his life and inscribed in the Civil Register of



Arica; that on being notified to present himself for service in the Chilean army, notwithstanding his Peruvian nationality which he invoked to escape this obligation, he was, in consequence, insistently persecuted by police agents, and aware that he would experience the same fate as that of others of his fellow-citizens who were interned to the south of Arica, he decided to take passage on the steamer *Guatemala*, which he accomplished in the month of January, 1921; that his family consists of his mother who has continued to reside in Arica; that the Chilean Patriotic League, composed of public officials and officers of the Chilean army, expelled and threatened Peruvian citizens, attacked and looted their homes as happened frequently; that Peruvians were conscripted into the Chilean army or were ejected from their positions so as to make way for Chilean citizens, who have latterly been brought by the authorities in considerable numbers and settled in Arica; that witnesses to the above are Mariano Focacci, Enrique Cano, Ricardo Cornejo, Lacunza, José Flores, Manuel Flores and all those deportees who have recently arrived from the Province of Arica; that his present address is Callao, Paita Street, No. 17. Deponent handed over his vaccination certificate and the passport issued to him by the Bolivian Consul in Arica. Upon this testimony being read to deponent, he hereby confirms its contents, and owing to his inability to sign, this formality is carried out by the Presiding Magistrate and the Clerk of the Court.

(Signed)

LAOS GONZALES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 201

In Lima, on December 6, 1923, Andrés Castillo Ramirez appeared, and after being duly sworn testified that: He is 28 years of age, unmarried, a tailor by trade, born in Tacna and legally domiciled therein and where he has resided all his life, in possession of his baptismal certificate, and inscribed both in the Civil Register of the Province and in the Peruvian Military Register; that in the month of December, 1918, and being required by the Chilean authorities to carry out his military service in the Chilean army, notwithstanding his Peruvian nationality, deponent was compelled to leave the territory, sailing from the Port of Arica on the steamer *Urubamba* for this city; that his family consists of his parents and five brothers of whom four are under age and who

have all remained in Tacna with the exception of the two who are at present residing in Lima and Callao respectively, since their expulsion by the Chilean authorities; that he owns a house located in the City of Tacna worth 2,000 pesos, and that his losses are his earnings which amounted to 260 pesos a month; that he has witnessed numerous assaults perpetrated by members of the Chilean Patriotic League against the persons and residences of Peruvian citizens, as well as the incursions by soldiers from the Garrison into the surrounding districts for the purpose of appropriating to themselves the produce and the cattle owned by Peruvian farmers who were, in addition, mishandled and their wives grossly mistreated; that witnesses to the above are Julio Forero, Anibal Marchand, Justo Marin, Juan Auza, Jorge Valverde and all the other deportees; that his present address is Lima, San Isidro Street, No. 272.

(Signed)

ANDRÉS CASTILLO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 202

In Lima, December 10, 1923, Germán Cornejo appeared, and after being duly sworn testified that: He is 38 years of age, a cooper by trade, married, born in Arica which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Peruvian Military Register; that in the month of December, 1911, deliberately organized movement was instituted for the conscripting of young Peruvian citizens for the purpose of enrolling them in the Chilean army; that among these was deponent who was in consequence compelled to take passage to the Port of Callao so as to avoid the indignity of serving in the Chilean army; that his family consists of his mother, his wife and two brothers who are dependent upon him; that his losses amount to 4,000 pesos, and his earnings, which were 300 pesos a month; that the Chilean authorities have conscripted into the Chilean army these young Peruvians, several suits having in consequence been heard by the Magistrate's Court of Arica presided over by Sr. Carlos Ibañez, and that a few months before his departure, he witnessed the attack and destruction of the building owned by the Peruvian Benevolent Society, which was effected by soldiers from the "Rancagua Regiment" garrisoned in Tacna, and who, disguised as civilians and accompanied by police agents and other persons



of Chilean nationality, went to Arica for that specific purpose; that witnesses to the above are Gerardo Vargas, Pedro Pescetto, Raul Rey, Tomás Marquez, Guillermo Legay, Santiago Ulloa, Mariano Focacci and several others; that his present address is Callao, Colon Street, No. 131.

(Signed)

GERMÁN CORNEJO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 203

In Lima, on December 10, 1923, Eusebio Maldonado appeared, and after being duly sworn testified that: He is 58 years of age, married, a clerk by occupation, born in Locumba, domiciled in Arica since 1890 up to the date of his expulsion, which occurred on the 7th of last month; that he is in possession of his baptismal certificate and inscribed in the Peruvian Military Register; that on the 2nd or 3rd of November, last, upon a summons brought to him by the Secret Police Agent of the Port of Arica, he appeared before the police authorities, together with his son, Valentin Maldonado at six o'clock, being detained until nine of that same night when he was set free upon condition that he would leave the Port of Arica the following day with all his family for the sole reason that deponent is a Peruvian citizen, and being required in addition, to appear at eight a. m. that same day at the Police Station together with his other children, so that the decree of expulsion issued against him could be properly controlled by the police authorities, his son, Valentin, remaining meanwhile, as hostage in the police station; that on the following day, the 3rd or 4th of November, he appeared at the Police Station at the appointed hour together with his son Manuel, and half an hour later another son, Adelino, was brought in by a police officer, that matters remained in this condition until 12 o'clock when, owing to the efforts made by the Bolivian Consul, Sr. Rufino Pando, who, earnestly besought by deponent's wife, Maria Herrera, deponent and his sons were set at liberty upon promising to leave the territory within 10 days, but fearful of the persecutions which might be directed against him during that interval, and of the danger that his sons might be interned, which was one of the threats which had been made, deponent decided to leave by the first steamer which touched at Arica, which was the *Orita* proceeding to Callao; that his family consists of his wife and four sons of whom one is under age, and who have all accompanied deponent upon being expelled by the



Chilean authorities, with the exception of one daughter; that his losses amount to his earnings which were 210 pesos a month; that the Governor, Emiliano Bustos, and the Police Commissioner, Ravioli, repeatedly urged him to sign a declaration to the effect that Peruvian citizens enjoyed the fullest guarantees in Arica; that the Chilean Administration, through its constant concern and zeal for the public good, had secured a remarkable degree of prosperity for the Province which had no motives other than the deepest gratitude for the action of Chile; that in case a plebiscite should be brought about, that deponent would promise to vote for Chilean interests, being rewarded in such an event, by permission to continue residing in Arica and of obtaining all manner of guarantees for himself and his family, suggestion which deponent refused to entertain, his refusal being the principal cause of his expulsion; that the internment of Peruvian citizens to the south of Chile is a well-known fact and that among the internees whose names he remembers, he can mention Lizardo Canales, Agustin Valenzuela, Manuel Tapia, Domingo Collao Ponce, Lorenzo Restilli, and Luis Cañipa; that police agents arbitrarily arrested Peruvian citizens, submitting them to considerable mistreatment and subsequently setting them free upon their promise to return to Peru, while at others, they were deported to different Chilean provinces; that the Chilean authorities sought and obtained from business firms and factories the dismissal from their positions of all Peruvian clerks or laborers, among which latter cases deponent can point to his own wherein the manager of the Arica-to-Tacna Railroad dismissed him from his position which he had held during 33 years, as is proved by the credential that is hereto attached, and which gives as an excuse, the fact that retrenching was contemplated by the company; that this dismissal could not be attributed to that reason is evident from the humble position occupied by deponent, and which, in addition, was immediately filled by another man of Chilean nationality; that the soldiers of the Chilean army and the members of the Longshoremen's Union, composed exclusively of imported labor of Chilean nationality from the South, continually provoked and assaulted Peruvians and looted their residences; and finally, in addition to all the foregoing abuses, the Arica Post Office systematically violates all correspondence addressed to Peruvian citizens; that witnesses to the above are Enrique Cano, Emilio Salinas, Mariano Focacci, Ramón Delgado, Santiago Ulloa, Adrián Balcázar, Luis Rondón and Benjamin Solis; that his



present address is Callao, Tumbes Street, No. 15. Deponent attaches to this affidavit the certificate granted by the management of the Arica-to-Tacna Railroad, which is at present in charge of the British Consulate for the Provinces of Tacna and Arica; a certificate from the German firm of Carlos Gierke, Consul of Germany in Arica and finally, the passport and a certificate of good conduct, honorable and faithful service issued by the Bolivian Consul, Sr. Rufino Pando, in that Port, as well as a vaccination certificate issued by the Chilean authorities.

(Signed)

EUSEBIO MALDONADO.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 204

In Lima, December 10, 1923, Juan de Dios Lanchipa appeared, and after being duly sworn testified that: He is 54 years of age, a blacksmith, married, born in Tacna which is his legal domicile and where he has resided all his life, and in possession of his baptismal certificate; that owing to the persecutions suffered by deponent and his wife at the hands of the Chilean authorities whereby restrictions in their business as well as exorbitant fines were continually suffered by them, they were compelled, first his wife, and second, deponent himself, to leave the Province of Tacna, experiencing the same fate as their other fellow-citizens who emigrated in large numbers to escape the persecutions and the abuses of the Chilean authorities, deponent's wife leaving towards the end of August and deponent in December of 1919, for the Port of Callao; that his family is composed of his wife and six children among whom four are under age, and all at present in Callao with the exception of his daughter Aurelia, who is married and resides in Arica; that he owns five houses located in the City of Tacna worth 25,000 pesos, but which do not bring him in any return owing to the grievous condition of unrest and lawlessness which obtain in Tacna; that his losses amount 5,000 pesos and his earnings, which were 600 pesos a month; that the Chilean Patriotic League directed by officials and officers of the Chilean Garrison in Tacna continually held meetings for the purpose of securing the evacuation of Peruvians while private houses and business offices were incessantly urged to dismiss their Peruvian employees and to replace them by others of Chilean nationality; that the usual guarantees of safety are entirely wanting in Tacna as far as regards the inhabitants of Peruvian nationality; that

witnesses to the above are Pedro Federico Barreda, J. Guillermo Gomez, Roque Cornejo, Luis Castañon, Amador Cornejo, Julio Forero and Justo Marin; that his present address is Callao, Buenos Aires Street, No. 188.

(Signed)

JUAN DE DIOS LANCHIPA.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 205

In Lima, December 10, 1923, Nicolás Núñez appeared, and after being duly sworn, testified that: He is 19 years of age, a student, unmarried, born in Arica which is his legal domicile and where he has resided all his life and inscribed in the Civil Register of the Province; that as the Santa Maria family with which deponent lived, was obliged to leave Arica upon being expelled by the Chilean authorities, and as the hostility shown to Peruvians increased daily so that citizens of this nationality went in fear of their lives, and fearing, notwithstanding his being under age, that he would be enrolled in the Chilean army, an abuse which had happened in numerous cases, he decided to follow his protectors and sailed for this city on the 11th of July, 1919; that his family consists of his parents and four brothers; that deponent is aware of the meetings held by the Patriotic League and the consequent attacks on the residences and business establishments of Peruvian citizens, effected with the cooperation of public officials and the police; witnesses to the above are Gregorio Nacarino, Luis Rondon, Pedro Pescetto, Marcial Rodriguez and several others; that his present residence is Callao, Piura Street, No. 63.

(Signed)

NICOLÁS NÚÑEZ.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 206

In Lima, December 10, 1923, Herminio Moyo Cáceres appeared, and after being duly sworn testified that: He was born in Putre, district of the Province of Arica, 23 years of age, unmarried, and a farmer by occupation, domiciled in the District of Putre where he has resided all his life, and inscribed in the Civil Register of the Province and in the Peruvian Military Register; that in 1915 he was summoned to the Primary Court of Arica whose Judge was Sr. Carlos Ibañez, as a delinquent under the Law of Recruits and Substitutes notwithstanding deponent's protest respecting



his Peruvian nationality; that in 1917 a verdict was issued sentencing deponent to imprisonment and to military service with the additional penalties which the Law calls for; that he was first detained in the Public Jail of Arica for 12 days and was then taken to the Lancers Regiment in the City of Tacna where he was kept for 30 days, confined in a cell, completely *incomunicado*, and not taken out for drill; that he finally secured his liberty through the endeavors made by his family and the medical authority of Arica, Dr. Conrado Rios; that he thereupon resumed his customary avocation and continued residing in Putre until the end of 1918, when the Sub-Delegate Emiliano Herrera, caused him to be arrested and detained for one day, being subsequently conducted by an armed police agent to the station at Kilometer 137 on the Arica-La Paz Railroad, where he was put on board for this last city; that this expulsion took place at the same time as many others decreed by the Chilean authorities, and in obedience to a general recrudescence of a regime of persecutions and abuses which at the time were directed towards all persons of Peruvian nationality; that his family consists of his parents and four brothers, one of whom is under age, while the only persons left in Putre to look after the interests of deponent's family are two sisters, since his parents and his brothers were all expelled and are at present located in Charaña (Bolivia); that together with the persons mentioned in the previous paragraph, he is owner of four houses and a 50 *hectareas* of tilled land, cattle, etc., situated in the District of Putre, and whose value assessed at 200,000 pesos; that he estimates his losses in 50,000 pesos, and his earnings, which were 2,500 pesos; that the Governor, Luis Arteaga, the Judge of the Primary Court Carlos Ibañez and the Sub-Delegate Emiliano Herrera, wished to force from him a statement respecting the advantages which would accrue from the Province of Arica remaining in Chilean possession, and offering deponent every guarantee and assistance in his business undertaking in case he would repudiate his Peruvian nationality, a course which deponent indignantly refused, preferring instead to suffer the consequences of his expulsion; that plain clothes police officers attack the residences of Peruvian citizens at night, remove the cattle and horses from the barns and sell them, while the Sub-Delegate, who is fully informed of the complaints of the Peruvian inhabitants relating to these thefts and abuses, refuses to grant them any redress; that the grazing ground which, from time immemorial, belonged to the communities, have been appro-



priated by the authorities, which, sending out commissioners for the purpose, seized all the cattle found therein, belonging to the community and brought it into the town of Putre, while the owners' complaints at being thus dispoiled, were always unheeded owing to their Peruvian nationality, this last abuse being one of the many forms of persecution decreed by the authorities; that in addition, the farmers of that district, who are all of Peruvian nationality, were further wronged by being charged taxes greatly in excess of those stipulated by law, while, upon the slightest pretext they were fined in considerable amounts, and when such fines were not promptly paid, their property was immediately attached with all the legal consequences and expense this measure involved, while in some cases the property was even sold at auction; that witnesses to the above who will willingly corroborate are Gerardo Vargas, Pedro Pescetto, Luis Belaúnde, Abel F. Cornejo and Tomás Marquez; that his present residence is Callao, Castilla Street, No. 207, rear No. 9. Deponent further testifies that his father was the trustee of the jewels and silver plate belonging to the Church of Putre, a charge which was entrusted to him by the Vicar of Arica, Father Vitaliano Berroa, when this ecclesiastic was expelled by the Chilean authorities, and that when the expulsion of his father, Antonio Moyo, was being carried out in 1918, he was obliged to hand over these valuables to the Clerk of the Civil Registry, Sr. Ponce, in obedience to orders given him by the Sub-Delegate Emiliano Herrera, the former official refusing to give him a receipt for these valuables, while the handing over thereof had been secured by force.

(Signed)

HERMINIO MOYO C.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 207

In Lima, December 10, 1923, Tito Rabutia appeared, and after being duly sworn testified that: He is 33 years of age, a student, unmarried, and born in Arica which is his legal domicile and where he has resided all his life and inscribed in the Civil Register of the Province; that in the month of July, 1920, he was called upon in his home by police agents for the purpose of compelling him to enroll in the Chilean army, notwithstanding his Peruvian nationality, on which account he was obliged to hide, and on the 26th of the month above-mentioned, he took passage on the steamer *Peru* for the Port of Callao; that his family consists of



his mother and five brothers, of whom one brother, José, is at present interned somewhere to the south of Arica, the other four being in Callao owing to their expulsion by the Chilean authorities, while his mother still remains in Arica; that he owns a piece of real estate in Dos de Mayo Street in the Port of Arica valued at 14,000 pesos; that he is personally aware of the deportations which are effected by the Chilean authorities, who send their prisoners to the south of Arica among whom is his brother, José, whose present location he does not know; he cannot testify with regard to other specific cases and wishes to point out that the seizures are effected at night and surrounded by the greatest mystery, the deportees being detained in such a manner as to prevent the public from knowing their whereabouts, and so as to create a doubt in its mind as to whether such disappearances is indeed the result of a deportation, while the victims themselves, hesitate to communicate with their friends through fear of the reprisals which might be exercised against them by their superiors and by the threats of vengeance which would be visited upon the persons of their relatives who still remain in Arica, or by the loss of their property in case their families happen to be wealthy or possessed of any means; that police agents commit all manner of abuses against Peruvians, arbitrarily imposing fines upon them on the slightest pretense, while it is publicly known that during the detention of such Peruvians, they are made to suffer the grossest abuse, and are sometimes even flogged with no respect either for the age or the condition of health of the sufferers; that it is likewise well known that the meetings held by the Chilean Patriotic League always degenerated into scenes of violence with the usual accompaniment of an attack against the property of Peruvian citizens and the looting of their places of business, while it is equally well known that all business houses have been notified to dismiss their Peruvian employees and substitute them with men of Chilean nationality, the former being compelled by want of work, when not directly expelled by the Chilean authorities, to leave the places where they and their families have resided for generations; that witnesses to the above are Avelino Maldonado, Enrique Cano, Francisco Santa Maria, Santiago Ulloa, Rosendo Carrasco; that his present residence is Callao, Marco Polo Street, No. 148.

(Signed)

(Signed)

T. RABUTIA.

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 208

In Lima, on December 10, 1923, Humberto Villanson appeared, and after being duly sworn testified that: He is 23 years of age, a laborer, unmarried, born in Tacna but domiciled in the Port of Arica since 1912 previous to which date he had always resided in Tacna; that during the latter part of last September, he was notified by the Police Agent, Valdez, to appear within fifteen days, at the Police Barracks of Arica so as to be embarked for the South for the purpose of accomplishing his military service, although deponent protested against this, owing to his Peruvian nationality; that upon witnessing the arrest and the internment of so many of his friends, and for the purpose of avoiding a similar fate, he decided to leave Arica by land, which he, in fact, did, traversing the distance between Arica and the Frontier of Sama on foot and experiencing as a natural consequence, the great hardships which such a journey always involves; that his family consists of his grandmother and five brothers under age, who remained in Arica and are doubtless suffering the same persecutions as other persons of his nationality, news of whom he has not been able to receive; that the damage he has suffered consists in the loss of his employment and of his goods and chattels which he values at 1500 pesos, and his earnings which were 9 pesos per day; that Eulogio Jimenez, the Vildoso brothers, Manuel Corbacho and a great many more belonging to the surrounding districts, have been interned to the south; that the threat of military service and especially the internment to the south of Arica, were the means systematically employed against Peruvians, while it is a well-known fact that his fellow-citizens are the targets for the constant persecution and abuse of the public officials, soldiers in the army and the numerous organizations whose members' calling is connected with the sea, and whose disorderly conduct is openly countenanced and encouraged by the police authorities; that witnesses to the above are Ventura Albarracín, Oswaldo Jimenez, Alfredo Madueño, Juan M. Maldonado, Teofilo Gonzalez, Fortunato Ibañez; that his present residence is Lima, Santa Ana Street.

(Signed)

HUMBERTO VILLANSON.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 209

In Lima, on December 10, 1923, Alejandro Paredes P. appeared, and after being duly sworn testified that: He is 18 years of age, a



student, unmarried and born in Tacna which is his legal domicile and where he has resided all his life, and inscribed in the Civil Register of the Province; that as he was continually required to serve in the Chilean army notwithstanding his Peruvian nationality, and as his father was, in addition, persecuted by the Chilean authorities which made it impossible for deponent to continue residing in Tacna, they both decided on that account, to leave the territory and took passage on board the steamer *Edro* on the 14th of October last, for Callao; that his family consists of his parents and a brother under age who, with the exception of his mother, are at present in this city as the result of the hostility exercised towards them by the Chilean authorities; that the fact that internments are carried out, is true, the men being sent to different localities to the south of Arica among whom he can mention Juan Silva, Benigno Alvarez, Wenceslao Zavala, Ricardo Cuellar, Garay, Miranda; that police agents in Tacna indiscriminately arrested all Peruvians and after detaining them in the Barracks and mistreating them, they are taken in trucks to the Port of Arica and sent from there to different places of internment; that soldiers from the army continually abuse the Peruvian farmers, raiding their farms and seizing their produce, while in the towns all business men of Peruvian nationality are subjected to every kind of hostility and hampered in the carrying on of their trades; that young Peruvians frequenting Chilean schools, which are the only ones now tolerated in the Provinces of Tacna and Arica, are continually urged and required to adopt Chilean nationality, failing which they are threatened with being suspended or expelled from the institutions; that witnesses to the above are Raul Diaz, Marcos Guerra, Agustin Laura, Lanchipa and Alfonso Ugarte; that his present residence is Callao, Lima Street, No. 246.

(Signed)

A. PAREDES P.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 210

In Lima, December 11, 1923, Valentín Maldonado appeared, and after being duly sworn stated that: He is 18 years of age, laborer, unmarried, born in Tacna and legally domiciled in the Port of Arica, in possession of his baptismal certificate and inscribed in the Civil Register of the Province; that from the 2nd to the 3rd of November last, he appeared, together with his father, Eusebio Maldonado, at 6 P. M. at the Police Station in the



Port of Arica and remained arrested all that night and the morning of the following day, although his father was released at 9 o'clock the previous night; that at 12 o'clock his father and two brothers, Avelino and Manuel, who had been again arrested that morning, were set at liberty upon condition that they leave the territory within ten days; that before the expiration of this term, deponent, his father and other relatives, in obedience to the order of expulsion decreed against them, left on the steamer *Orita* for Callao on the 7th of November; that his family consists of his parents and two brothers who are at present in Callao, owing to their expulsion by the Chilean authorities, while his sister still remains in Arica; that it is a fact that the Chilean authorities intern young Peruvian citizens to the south of Arica, among whom he mentions the cases of Manuel Tapia, Luis Cañipa, Agustin Valenzuela, Lizardo Canales, Lorenzo Restelli, all domiciled in the Port of Arica and taken by force; that Peruvian citizens are constantly molested by the police agents of Arica who are imprisoned in the Police Barracks, where they are barbarously treated, even aged persons having been ordered flogged; that they are not allowed to engage in any trade or occupation, owing to the hostilities directed against them, and through the ceaseless requests for their dismissal from their positions and their substitution by men of Chilean nationality who have been brought during recent years, in considerable numbers, to the Provinces of Tacna and Arica; and that finally, no person of Peruvian nationality can possibly count upon any guarantees of safety either for their persons or their business, while the most usual means of persecution consists in taking Peruvian citizens from their agricultural pursuits or from the factories or offices where they may be employed, and enrolling them in the Chilean army or deporting them to points south; that his witnesses are Santiago Ulloa, Adrian Balcazar, Adrian Focacci, Rosendo Corrasco, and in general, all those who have recently arrived after being expelled from the Province of Arica; that his present address is Callao, Tumbes Street, No. 15.

(Signed)

VALENTIN MALDONADO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 211

In Lima, December 11, 1923, Nicolás Beretta appeared, and after being duly sworn testified that: He is 22 years of age, a



mechanic, unmarried, born in Arica and legally domiciled in that port where he has resided all his life, inscribed in the Civil Register of the Province, and also in the Chilean Military Register under compulsion by the Chilean authorities, and that he is at present arranging for his inscription in the Peruvian Military Register; that in March last, he appealed before the Judge of the Primary Court of Arica, Sr. Pedro Cuevas respecting the summons issued against him as violator of the Law of Recruits and Substitutes, declaring that he could not serve in the Chilean army owing to his Peruvian nationality, but that owing to the threats made against him by the Judge above-mentioned and so as to avoid being expelled, he gave way and consented to appear as a Chilean citizen, and consenting therefore, to serve in the Chilean army; that a little later, due to the threats which had been made against him and as a consequence of the consent which was wrested from him by intimidation, he also consented to be inscribed in the Chilean Military Register; that, under the protection which he thus secured, he was able to live in peace up to the first day of last June, when he was notified to present himself as a recruit on the first of the present month to be enrolled in the Rancagua Regiment in garrison in Tacna, and so as to avoid this last outrage which was being put upon him, he preferred to sail on the 23rd of June for the Peruvian Port of Mollendo, whence he eventually left for Lima; that his family consists of his parents and nine brothers under age who are still in Arica with one exception, who, having been likewise expelled, is at present in this city; that among the persons interned with whom he is acquainted, he can mention Lizardo Canales, José Maria Flores, Benedicto Flores, Adrian Baquita, all from the Port of Arica; that Peruvians are continually provoked and assaulted, with no reason whatsoever, in the public streets; they are arrested and taken to the Police Barracks where they are made to pay arbitrary fines, are tortured by these same police authorities, and are constantly required to adopt Chilean nationality and to serve in the Chilean army as a condition for being allowed in the territory of the Province of Arica; that the heads of all the business houses have been notified so as to dismiss their Peruvian employees and substitute them for men of Chilean nationality who have been brought from different parts of the Republic for that purpose; that witnesses to the above are Adelino Maldonado, Enrique Cano, Mariano Focacci, Francisco Santa Maria, Santiago Ulloa

and Rosendo Carrasco; that his present residence is Callao, Washington Street, No. 7.

(Signed)

NICOLAS BERETTA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 212

In Lima, December 11, 1923, Avelino Maldonado appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, a plate layer by trade, born in Tacna and domiciled in the Port of Arica where he has resided all his life; that on the 3rd or 4th of November last, about 8:30 A. M. he was arrested in his home by the Police Agent called Soto, and taken to the Police Station of the Port of Arica, where he found his father Eusebio Maldonado and his brothers Valentin and Manuel, who were being detained there; that deponent was likewise confined, but about 12 of the same day, owing to the petition of the Bolivian Consul, they were all liberated, but upon the condition that they would leave the Port of Arica within ten days, for no other reason but that the family of deponent was of Peruvian nationality; that before the time limit elapsed, he and his family took passage on board the steamer *Orita* for Callao; that the Chilean authorities have interned numerous young Peruvians in the provinces to the south of Arica, among whom he can name Lizardo Canales, Luis Cañipa, Agustin Valenzuela, Manuel Tapia, Domingo Collao, Ponde, Nieves Maldonado, all from the Port of Arica; that Peruvians are systematically assaulted in the public streets and confined, often with no pretext whatever, in the Police Barracks where they are grossly mistreated and fined, as occurred with Luis Rondon, and Juvenal Lagos, Guillermo Carlos, José Rueda and Victor Viacava, who were all flogged; that his witnesses to the above are Emilio Salinas, Mariano Focacci, Ramon Delgado, Santiago Ulloa and Luis Rondon; that his present address is Callao, Tumbes Street, No. 15.

(Signed)

AVELINO MALDONADO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 213

In Lima, December 11, 1923, Manuel Maldonado appeared, and after being duly sworn testified that: He is 15 years of age, unmarried, a pressman by occupation, born in Arica which is his



legal domicile and where he has resided all his life, and in possession of his baptismal certificate; that on the 3rd to the 4th of November, last, at 8 o'clock A. M., he went with his father to the Police Barracks of Arica where he was confined up to twelve o'clock of that same day, his brother Valentin having been detained since the previous day, while his other brother Avelino, who arrived half an hour later than deponent, was likewise detained, all being released at about 12 o'clock on the condition that they would leave the Port of Arica within 10 days, but that before the expiration of this term, that is to say, on the 7th of November, he sailed, together with his family on the steamer *Orita* for Callao. (Deponent's testimony is precisely on the same lines as that furnished by his father and two brothers and is therefore not repeated here.)

(Signed) MANUEL MALDONADO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 214

In Lima, December 11, 1923, Máximo Salas appeared, and after being duly sworn testified that: He is 21 years of age, student, unmarried, born in Arica, and legally domiciled in the Port of Arica where he has resided all his life, and inscribed in the Civil Register of the Province; that during the month of August, 1919, he received a summons to present himself for military service in the Chilean army, although his parents declared that he was a Peruvian citizen, in consequence of which he was actively sought by the authorities and obliged to remain in hiding until the arrival of the steamer *Orcoma* which touched at Arica on the 17th of September of that year, on which deponent took passage for Callao; that his family consists of his parents and four brothers of whom three are under age, and who all were expelled by the Chilean authorities; that the Chilean Patriotic League, among whose members is the Government Revenue Agent, Juan de Dios Cepeda, continually persecutes all citizens of Peruvian nationality, abusing and assaulting them in the public streets, causing them to be confined in the Police Barracks where they are grossly mistreated, and attacking the residences and business establishments of all Peruvians; that witnesses to the above are José and Santiago Carrasco, Mariano Focacci, José Maldonado, Nicolás and Adolfo Bereta; that his present residence is Callao, Monteagudo Street, No. 96.

(Signed) MÁXIMO SALAS.

(Signed) GALLAGHER Y CANAVAL.

In Lima, December 20, 1923, Francisco Santa María, appeared, and after being duly sworn testified that: He is 35 years of age, shoemaker by trade, a widower, born in Tacna and legally domiciled in Tacna where he has resided all his life, in possession of his baptismal certificate and inscribed in the Civil Register of the Province; that during the first days of the month of June last, he presented a sworn statement, to the Judge of the Primary Court of Tacna to the effect that being a Peruvian citizen he had not registered in the Chilean Military Register nor could he serve in the Chilean army; that five days later he was notified of the sentence which had been passed upon him, condemning him to 60 days' imprisonment and two years' service in the Chilean army for a violation of the Law of Recruits and Substitutes; that for this reason, and to avoid carrying out the sentence, deponent left for the Port of Arica where he was detained in the Police Barracks together with a fellow-citizen who accompanied him and where both were flogged by the police agents, being subsequently conducted to one of the vessels of the Chilean Company which was leaving for the Peruvian Port of Mollendo; that his family consists of his mother-in-law and two children under age, who are still in Tacna but who are about to leave for Peru, owing to the persecution directed against them by the authorities; that he is the owner of a house located in Sucre Street in the City of Tacna and that the damages he has suffered consist in the loss of his business and his earnings; that the fact that the Chilean authorities intern Peruvians is well known, and public knowledge, but owing to the secret manner in which this measure is carried out and due also to the additional fact that the deportees are usually farmers and persons residing in the surrounding countryside, it is extremely difficult to ascertain the names of the victims whose very families are ignorant of their whereabouts and who are usually afraid to make any complaint for fear of bringing down upon themselves additional persecution; that in Tacna the soldiers and officers of the regiments garrisoned there, continually abuse and assault Peruvian citizens in the public thoroughfares, attack and raid their homes, overrun the farms in the country districts, forcibly taking possession of the agricultural produce and the cattle belonging to the farmers; that the public authorities cooperate in these abuses and protect the delinquents, and refuse any redress to the sufferers and pay no heed to such complaints, as they are sometimes moved to make; that during recent years



large numbers of Chilean citizens from every part of that country have been imported into Tacna and Arica for the purpose of settling there and occupying positions of every kind from which Peruvian citizens have been ejected; the purpose of these measures being naturally to secure an artificial voting power in a forthcoming plebiscite; that witnesses to the above are Mariano Siña, Lorenzo Ostolaza, Daniel Crespo, Carlos Valdez, and in general, all deportees who have recently arrived from Tacna; that his present address is Callao, Apurimac Street, No. 93; deponent attaches hereto his identification card and vaccination certificate issued by the Chilean authorities, as well as his passport granted by the Bolivian Consul in Arica.

(Signed) FRANCISCO SANTAMARIA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 216

In Lima, December 20, 1923, Juan Carpio Claros appeared, and after being duly sworn testified that: He is 30 years of age, unmarried, a typesetter, born in Tacna and legally domiciled in the Port of Arica since November, 1913, and previous to that in the City of Tacna, and in possession of his baptismal certificate; that having been actively sought by the Chief of the Secret Investigation Department of Arica, Evaristo Valdez, for the purpose of being taken to the Police Barracks on the 10th of the present month, and aware that he would not be able to avoid serving in the Chilean army in case he remained in Arica, he decided to take passage on the following day on the steamer *Ebro* for Callao; that his family consists of his mother and a brother who are both in Lima on account of the expulsions suffered by Peruvian citizens; that his losses include 600 pesos and his earnings, which were 230 pesos a month; that the Chilean authorities are consistently deporting Peruvian citizens to various provinces in the South of Chile, and that many young Peruvian citizens have been sent there including Gerardo Morres, Angel Beas and Benito Ortiz; that the Arica Police authorities have undertaken a regular campaign of persecution against all Peruvian citizens who hesitate to walk abroad the public streets through fear of being assaulted or arrested, and are compelled to attend to their business by stealth, most of them remaining in hiding for fear of being taken to the Police Barracks where it is a notorious fact that all Peruvians detained there are inhumanely treated

and even tortured; that witnesses to the above are Eulogio Terceros, Ernesto Cano, Alfredo Cancino, and all the deportees recently arrived from Arica; that his present address is Lima, Santa Ana Street; deponent attaches hereto his passport granted to himself and his mother by the Bolivian Consul in Arica, the vaccination certificate issued by the Chilean authorities and the two vaccination certificates of H. C. Moses, the Pacific Steam Navigation Company's Surgeon on board the R. M. S. *Ebro*, and the counter-foil of deponent's ticket from Arica to Callao No. 13128.

(Signed)

JUAN CARPIO CLAROS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 217

In Lima, December 20, 1923, Eulogio Terceros C. appeared, and after being duly sworn testified that: He is 43 years of age, married, a cobbler by trade, born in Tacna and legally domiciled in the Port of Arica from the first months of 1915, up to the date of his expulsion and in possession of his baptismal certificate; that during the first days of the present month he was taken to the Police Barracks in Arica, where he was minutely interrogated with regard to his age, profession and other particulars, and upon deponent declaring he was a Peruvian citizen, he was informed it would be better for him not to insist upon this circumstance unduly since he would have to serve in the Chilean army; that as the campaign of conscription was being actively conducted at the time, deponent considered it more prudent, as soon as he succeeded in securing his liberty, to take passage on the steamer *Ebro* for Callao; that his family consists of his wife and one child under age; that his losses amount to 400 pesos and his earnings which were 8 pesos per day; that the Chilean authorities continue to intern Peruvian citizens in the Southern provinces of Chile, among whom he can mention Angel Beas, Juan Arce, Eraclio Salas, Cesareo Yucra and many others whose names he does not for the moment recall; that the police authorities of the Port of Arica continually arrest Peruvian citizens, detain them in the Police Barracks where they are grossly abused. The cases where respectable, law-abiding persons have been so treated being very numerous, among them Luis Rondon, José Rueda and Guillermo Carlos, who were flogged; that, in addition to conscripting and deporting Peruvian citizens, persons of this nation-



ality are threatened with personal violence which is usually inflicted when they do not leave the territory and make way for the Chileans whom the authorities import for the purpose of substituting the former. That witnesses to the above are Antonio Cancino, Mariano Laura, Lacunsa, Albarracin and in general all the recently arrived deportees in the Province of Arica; that his present address is Lima, Santa Ana Street; deponent attaches to the present affidavit the vaccination certificate issued by the Chilean authorities, the certificate from the Pacific Steam Navigation Company testifying to deponent having paid for his passage, and the counterfoil of the same No. 13125.

(Signed)

EULOGIO TERCEROS C.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 218

In Lima, December 21, 1923, Antonio Cancino P. appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, born in Tacna, legally domiciled in Arica since 1914, and previous to that in Tacna, and in possession of his baptismal certificate; that on the 25th of October last, being actively required by the police of Arica to enroll in the Chilean army, notwithstanding his Peruvian nationality, deponent was constrained to remain in hiding until he could take the train from Arica to La Paz where he subsequently proceeded on to Lima; that his family consists of his father and three brothers who have also been obliged to leave Tacna owing to the persecutions suffered by them; that his losses amount to 1,200 pesos and his earnings, which were 104 pesos a month; that the Chilean authorities continue to deport Peruvian citizens to different provinces in the South of Chile, among whom he knows of Juan Capitilla, Eustaquio Siles, a cousin of deponent, Juan Corbacho and Alejandro Cancino, deponent's brother, and a large number in addition whose names he does not remember; that the police authorities arrest Peruvian citizens in the public streets and detain them in the Police Barracks where they are subjected to every kind of abuse and where persons of advanced age have been known to be flogged; that Peruvian citizens are furnished with no guarantees of safety of any kind, and that even their correspondence is violated in the Arica Post Office; that witnesses to the above are Juan Carpio, Eulogio

Terceros, Albarracin and all the recently arrived deportees; that his present address is Lima, Santa Ana Street.

(Signed) ANTONIO CANCINO P.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 219

In Lima, December 20, 1923, Damaso Salas appeared, and after being duly sworn testified that: He is 33 years of age, cattle man, married and born in Yunguyo, legally domiciled in the City of Tacna since 1900, up to the date of his expulsion, in possession of his baptismal certificate and inscribed in the Peruvian Military Register; that upon the Chief of the Secret Service Department, Manuel Barahona, requiring him to register in the Chilean Military Register and to adopt Chilean nationality as a condition to be allowed to continue to reside in Tacna, and upon deponent's refusal to carry out both of these requirements, he was told that he would have to leave the City of Tacna within 20 days, but that before this term expired, after having been deprived by the authorities of the means of exercising his occupation, deponent took passage for Mollendo on the steamer *Oropesa* on the 26th of November last; that his family consists of his wife and two children under age who were obliged to follow him upon his expulsion; that his losses amount to 1,500 pesos, and his earnings, which were 10 pesos a day; that the Chilean authorities have deported Peruvian citizens to different provinces in the South of Chile, among whom he can mention Manuel Condori, José Villar, Antonio Plaza, Toribio Flores, Esteban Yufra and Modesto Rodriguez, and a great number in addition whose names he does not, for the moment, recall; that recently Peruvian farmers have been deprived of their holdings and their property by being required to exhibit their titles thereto, or the documents which prove the interest they may have in such property, and which, upon being deposited with the authorities or arbitrarily seized by them, are not returned to the lawful owners, while the property is transferred to third parties of Chilean nationality who have been imported into the provinces and induced to settle therein; that other farmers of Peruvian nationality are persecuted through withholding of the necessary water for their crops and by forbidding them to use the community grazing grounds to pasture their cattle, all of which methods are put in practice by the police authorities and executed by the soldiers from the Garrison, and



though the judicial authorities will not countenance these abuses, such is the condition of terrified resignation to which the agricultural population is reduced, that none dares to appeal for protection to the Courts for fear of the vengeance which they know would be subsequently exercised against them; that witnesses to the above are Domingo Vayas, Antonio Cancino Pizarro, Eulogio Terceros and Juan Carpio; that his present address is Lima, Santa Ana Street; deponent attaches hereto the licenses issued to him for the conduct of his business, valid from March, 1923, to February, 1924, granted by the Municipality of Tacna; the vaccination certificates for himself and his wife, issued by the Chilean authorities as well as those issued by the Surgeon of the Pacific Steam Navigation Company's Steamer *Oropesa*, and the counterfoil of deponent's passage and that of his family to Mollendo, No. 13116.

(Signed) DAMASO SALAS.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 220

In Lima, December 24, 1923, Humberto Palza, appeared, and after being duly sworn testified that: He is 22 years of age, unmarried, a farmer, born in the District of Tinacmar of the Province of Arica, domiciled in Arica where he has resided all his life, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and forcibly in the Chilean Military Register; that he is now inscribed in the Peruvian Military Register and owing to his Peruvian nationality, is at present effecting his military service in the latter army; that on the 1st of February this year, a police officer and a soldier appeared for the purpose of arresting him and interning him in the Chilean Province of Coquimbo, and deponent, fearful that the same fate awaited him as that suffered by his fellow-citizens who, after being arrested, are at present interned in several of the Southern provinces of Chile, managed to hide when the authorities raided his parents' residence for the purpose of conscripting him, and as soon as he was able to evade the vigilance which was being exercised against him, he proceeded on foot to the Province of Tarata whence he eventually reached the Provisional Frontier at Ticaco and was then freed from the persecution of the Chilean authorities; that his family consists of his parents and six brothers under age, who have remained in Arica, exposed to the persecution of the Chilean authorities; that the Governor and the Prefect

of Police of Arica required from deponent a signed statement to the effect that he was a Chilean citizen, and that it was to the best interests of the Province that Chilean dominion should continue in Arica, but deponent refused to do this, basing his refusal upon his Peruvian nationality, but he later learned that he had, notwithstanding, been inscribed in the Chilean Military Register, the facts as related above, occurring shortly afterwards; that it is true that the Chilean authorities have interned numerous Peruvian citizens in the Provinces to the south of Arica, among whom he can mention Juan Gandolfo, Luis Cañipa, Humberto Giron, Modesto Corbacho, Pastor Flores, Serafin Valenzuela, Manuel Tejada, Eduardo Dias, Gabriel Lopez and Celino Palza; that Peruvian citizens were harassed and imprisoned to compel them to enroll in the Chilean army; that the farmers of the valleys of the Province of Arica, who are almost all of them Peruvian citizens, are compelled, when of this nationality, to sell their produce at arbitrary prices, which are fixed by the Chilean Municipal Inspector who, at times, dispossesses them of their merchandise and forbids them to offer any for sale in future under trivial pretext; that the owners of the stands in the market place are Chilean citizens who have been installed there for the purpose of preventing Peruvian citizens from exercising this business; that witnesses to the above are Valerio Colque, Teodoro Caceres, Oscar Caceres, Guillermo Carlos, Benjamin Solis, Avelino Maldonado and Fortunato Jimenez; that his present address is Lima, Borbones Street, Letter E.

(Signed)

HUMBERTO PALZA.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 221

In Lima, December 24, 1923, Victor Gil y Palza appeared, and after being duly sworn testified that: He is 33 years of age, blacksmith by trade, married, born in Pachia, District of Tacna, domiciled in the Port of Arica since the 1st of September, 1918, up to the date of his expulsion, his domicile having been previously the District of Pachia from the year of his birth; that on the 2nd of March, he was summoned before Sr. Pedro Cuevas, Judge of the Primary Court of Claims of Arica, as a delinquent under the Law of Recruits and Substitutes, deponent giving as an excuse upon being required to serve in the Chilean army, that he was a Peruvian citizen; that while the usual suit was being instituted,



he was insistently required to immediately enroll in the Chilean army, so that he was compelled eventually to leave the city and take passage on the steamer *Palena* for Callao; deponent subsequently heard that sentence had been pronounced against him and the edict published in the press of Arica, clipping of which is annexed hereto; that his family consists of his parents and four brothers who likewise have been expelled by the Chilean authorities and are at present in Callao, with the exception of his brother Ernest, who, having been expelled more recently, is at present in the Peruvian Port of Ilo; that his losses amount to 3,000 pesos and his earnings, which were 400 pesos a month; that it is a fact that the Chilean authorities having interned large numbers of Peruvian citizens in provinces south of Arica, among whom he remembers Angelito Bras, Serafin Zalen, Eduardo Dias, Gabriel Lopez, Felipe Garate, all preceeding from the Port of Arica; that the Chilean authorities arbitrarily hinder Peruvian citizens from pursuing their trades or occupations through countless restrictions and persecutions such as, for instance, the payment of increased taxes for licenses and unjust fines, the cancelling of such licenses for no apparent cause, such as occurred to deponent who was deprived of his permit to carry on his trade, which compelled him to close his smithy; that all guarantees established by law are denied the citizens of Peruvian nationality, owing to which life in Arica has become exceedingly dangerous, since they are not only threatened with personal injury and with attacks upon their homes, but such threats are usually carried out, while the internment of his fellow-citizens, a measure which has recently been put in force, as well as the indignity of corporal punishment suffered by the interneers, have produced widespread terror and compelled great numbers, in their desire for a peaceful existence and the right to work, to leave the land of their birth; that witnesses to the above are José Flores, Luis Zelada, Manuel Flores and Benjamin Solis; that his present residence is Callao, Puno Street, No. 160; deponent attaches to the present testimony the vaccination certificate issued by the Chilean authorities, a credential signed by the Sewage Inspector of Arica for satisfactory work done, and the passport issued to deponent by the Consul of Bolivia in Arica.

(Signed)

VICTOR GIL PALZA.

(Signed)

GALLAGHER Y CANAVAL.

### AFFIDAVIT No. 222

In Lima, December 24, 1923, Oscar Carro appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, a carpenter by trade, born in Tacna and legally domiciled in Arica since 1919, and previous to that in the City of Tacna, in possession of his baptismal certificate and inscribed in the Civil Register of the Province; that upon being notified by the Secret Service Agent of Arica, Evaristo Valdez, to leave the Province within ten days, deponent took passage from Arica for the Port of Callao before the expiration of the time limit, since he was aware that a disobedience of this order would imply service in the Chilean army; that his family consists of his parents and four brothers, two of whom are under age, and who have remained in Tacna and are being persecuted by the Chilean authorities; that deponent estimates his losses to be 900 pesos, and his earnings which were 150 pesos a month; that the Chilean authorities have systematically interned Peruvian citizens among whom he mentions the names of Carlos Valdez, Eulogio Villarroel, Carlos Bras, Alejandro Colque and Anacleto Baluarte; that persecution and abuse of every kind are suffered by the Peruvian population at the hands of Chileans, while the police authorities encourage these disorders and grant no protection to the victims; that witnesses to the above are Humberto Palza, Emilio Salinas, Valerio Colque, Benjamin Solis, Luis Zelada, Manuel and José Flores; that his present address is Callao, Buenos Aires Street, No. 188.

(Signed)

OSCAR CARRO.

(Signed)

GALLAGHER Y CANAVAL.

### AFFIDAVIT No. 223

In Lima, December 24, 1923, Manuel de la Cruz y Zubiaga appeared, and after being duly sworn testified that: He is 44 years of age, born in Callao, a musician, married and domiciled in the Port of Arica since 1900 up to 1919, when he was expelled; in possession of his baptismal certificate and inscribed in the Peruvian Military Register; that towards the middle of the month of May, 1919, he was arrested and taken to the Police Barracks of Arica where an official informed him that upon the Prefect's orders he would have to leave the territory within 48 hours because deponent was *persona non grata* to Chile on account of his Peruvian nationality; that as a steamer touched at Arica the following day, deponent took passage with his family for Callao, thus carrying out the



order of expulsion which had been decreed against him; that his family consists of his wife and a son under age; that his losses amount to 2,000 pesos, and his earnings, which were 100 pesos a month; that he can testify to the disorders committed by the Chilean population, instigated by the Chilean Patriotic League and the police authorities, against the persons and residences of Peruvian citizens who are not allowed to pursue their trade or occupation in peace, are arbitrarily arrested and detained in the police barracks where they are sometimes tortured, are abused, and assaulted in the streets until they either agree to enroll in the Chilean army or leave the territory; that witnesses to the above are Juvenal Lagos, Raul Rey, Tomás Marquez, Martinez and all the deportees from Arica during 1919; that his present residence is Callao, Colon Street, No. 163.

(Signed)

MANUEL DE LA CRUZ.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 224

In Lima, December 26, 1923, Guillermo Tay, appeared, and after being duly sworn testified that: He is 37 years of age, born in Lima, unmarried and a merchant, and domiciled in Arica since 1888 up to the time of his expulsion, and in possession of his baptismal certificate; that on the 3rd of May, last, the Chief of the Secret Service of Arica notified him in the name of the Governor that he would have to leave the territory within 15 days, owing to the Peruvian nationality of deponent; that, notwithstanding every effort made with the Governor so as to obtain an extension, he was unsuccessful, and having made use of the services of the Clerk of the Civil Register, Manuel Gonzalez, so that the latter would interpose his good offices to that end, he was only deceived in his endeavor, and made to pay 200 pesos for services which were never rendered; that, so as to avoid any further trouble, and aware of the consequences which a disobedience of this order would entail, deponent sailed on the steamer *Orita* for Mollendo whence he subsequently proceeded to Lima; that he was the owner of a cotton ginning machine in Arica and of a quantity of this product in storage with which he trafficked; that his losses are 4,000 pesos, and his earnings, which were 700 pesos a month; that he can testify to the abuse and the persecution suffered by Peruvian citizens and the arbitrary conduct of the police officials who arrest Peruvians on no cause, confine them in the Barracks

and subject them therein to the grossest ill-treatment; that the houses of Peruvian citizens are continually raided either by the authorities or by members of the Patriotic League; that witnesses to the above are Manuel Lizarano, Luis Rondon, Rosendo Carrasco, and Gregorio S. Nacarino; that his present address is Lima, Tigre Street, No. 154. Deponent attaches to this testimony his identification card and vaccination certificate issued by the Chilean authorities, as well as the passport granted to him by the Bolivian Consul of Arica.

(Signed)

GUILLERMO TAY.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 225

In Lima, August 3, 1923, Lizardo Zevallos appeared, and after being duly sworn testified that: He is 39 years of age, a widower, born in Tacna and legally domiciled in Arica, where he has resided 11 years; that the Chilean authorities endeavored to compel him to inscribe in the Chilean Military Register but that he refused, instituting suit against him, against which he appealed to the Supreme Court, but was nevertheless condemned to serve in the Chilean Army and to a fine of 200 pesos, a sentence which was eventually quashed on account of the negotiations entered into between Peru and Chile at the time of the Presidency of Sr. Billinghurst; that in consequence of repeated notifications received from the Chilean Patriotic League and due to the persistent hostility directed against him on account of his position as Warehouse Superintendent of the Arica Railroad, he was compelled to leave the territory in 1919; that his family is composed of his mother and a daughter who both left Arica subsequently; that his losses include his position which brought him in 160 pesos gold a month, and that his present residence is Lima, Santa Teresa Avenue, No. 1583.

(Signed)

L. ZEVALLOS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 226

In Lima, August 14, 1923, Luis Taboada appeared, and after being duly sworn, testified that: He is 53 years of age, married, a carpenter by trade, born in Tacna and legally domiciled in Arica, where he has resided for the last 12 years; that in June last, he was verbally notified by the Police Officer Vega, that he would



have to leave Arica as soon as possible, being informed by said Vega that the order of expulsion had been issued by the Governor of the Province; that in the beginning of July, he was again notified by said Vega in such a manner that he appealed to the Superior Police Authorities and obtained an extension of 10 days which enabled him to remain in Arica until the 8th of this month, when he left the Port on the steamer *Orita*, reaching Callao on the 12th of the same month; that his family consists of 6 children and 2 grandchildren; that he owns a farm in Tacna in common with a sister, the value of the property being 2,000 pesos; that in addition to the loss of his customers, he has suffered damage, owing to the hasty sale of his household effects; that he knows of the cases of the young men Rabutia and Juan Gonzales of Arica, and Carlos Rueda of Tacna and many others from the outlying districts whose names he does not know, all of whom were interned by the Chilean authorities, which latter systematically persecute Peruvian citizens, and when these complain they are advised to leave the territory in occupation by Chile, all of which facts are notorious and publicly known in Arica; that his present residence is Callao, Paita Street, No. 25.

(Signed)                      LUIS TABOADA.

(Signed)                      GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 227

In Lima, August 22, 1923, Guillermo Carlos appeared, and after being duly sworn testified that: He is 39 years of age, a tailor's cutter by trade, born in Tacna, married, legally domiciled in Arica for the last 4 years, and previous to that in Tacna where he resided since he was born; inscribed in the Civil Register of Tacna; that the Chilean authorities endeavored to have him register in the Chilean Military Register, and that a suit was instituted against him for that purpose, but upon testifying that he was the only son of a widowed mother, he was no further molested; that on the 16th of April, of this same year, he was notified by the police agent, Zurita, to appear before the Assistant Commissioner of Police, Domingo Palma, in the Police Barracks, and upon reaching the Barracks, instead of being brought before the Commissioner, he was taken by the Keeper Rojas to a room where he was handcuffed and informed that he was in custody; that at 11 that night he was taken to the Barracks' yard, where he was cruelly ill-treated by several soldiers who wished to make him

confess that he was the Secretary of an Irredentist Committee which, so they asserted, was presided over by José Rueda; that after being ill-treated he was again brought back to his cell and remained there until 2 o'clock in the morning when he was set at liberty; that next day deponent was in such a serious condition, owing to the ill-treatment which he had received, that he could not leave his domicile and was compelled to call in the Chilean physician, Marcos Avila, by whom he was treated; that deponent being in this helpless condition, was obliged to send his wife to endeavor to see the Governor, Emiliano Bustos, with a request for guaranties for deponent's safety, that official appearing surprised at what had taken place and agreeing to furnish the necessary guaranties; that complaint was likewise made to the Judge, Pedro Cueva, though deponent has no knowledge that his complaint was taken into consideration during the four months which elapsed between the date of his assault and that of his departure, nor were any of the culprits punished for their participation in the assault; that on the 11th of July last, the Police Officer, Manuel Vega, notified deponent in the name of the Governor that he would have to leave Arica within 24 hours, a sentence which was ratified by the Governor personally, who, upon being petitioned, granted permission to leave at latest, by the 15th of August, deponent taking passage on the steamer *Aysen* on the 16th of that same month; that his family consists of his wife, three children under age and his mother-in-law who, although the order of expulsion did not include them all, were obliged to follow deponent; that deponent was the proprietor of the tailoring establishment with a capital of 5,000 pesos, having suffered considerable loss owing to the hasty manner in which he was compelled to dispose of his business; that his net losses amount to 4,500 pesos, since the goods he was obliged to sell did not produce more than 3,000 pesos, while in addition, he was unable to collect the sum of 1,500 pesos which was owing to him, included within this sum being 600 pesos owed to him by members of the police force; that among the expulsions carried out by the Chilean authorities he can mention the specific cases of the young men Giron and Vildoso, while recruits were usually brought into Arica after 10 at night and taken with great secrecy to the Artillery Barracks where they were confined until the arrival of a steamer going south, upon which they were shipped before daybreak; that the means of persecution most commonly put in practice is that of compelling Peruvian citizens to effect their military



service in the Chilean army, by which means they secure the departure of these men from the territory; that the facts as recounted by deponent are notorious and publicly known in Arica, witnesses to which are José Rueda, and Cesar Siles who are at present in Lima; that his present address is Lima, Huari Street, No. 208.

(Signed)

GUILLERMO CARLOS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 228

In Lima, August 31, 1923, Gerardo Rejas appeared, and after being duly sworn testified that: He is 20 years of age, a carpenter by trade, unmarried, born in Tacna and legally domiciled in Pocollay, district of the same name, where he has resided for the last 2 years and previous to that in Tacna, and inscribed in the Civil Register of the Province; that the Chilean military authorities endeavored to have him register in the Chilean Military Register but that he refused; that although he was not formally expelled from the territory in Chilean occupation, nevertheless, he was compelled to leave his home owing to the attitude of the Chilean authorities in instituting criminal suit against him for an alleged violation of the Military Law of Recruits and Substitutes, the accused being usually sentenced for 2 years' service in the Chilean army, imprisonment and fine, and as no Peruvian is willing to suffer this indignity, he usually prefers to leave, as happened to deponent who, upon being sentenced, decided to flee from Tacna and go to Lima (the judge who sentenced him was Lamberto Caro); that he knows personally of the young men Loreto, Centellas, Cornejo, as well as others whose names he does not remember, who were forcibly conducted to the Barracks and subsequently shipped south; that his present address is Lima, Escribanos Arcade, No. 320.

(Signed)

GERARDO REJAS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 229

In Lima, September 1, 1923, José Miguel Olivares appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, blacksmith by trade, born in Tacna, which is his legal residence and where he has resided all his life except the month and a half last, when he was in the Port of Arica, and inscribed

in the Civil Register of Tacna; that on the 18th of June of this year, he was notified by the Secret Service Agent, Valdez, to appear in the Police Barracks where he was informed that, as he had not registered in the Military Register of Chile, he would have to leave the territory within 8 days, and before the expiration of this term, the same agent informed him that he had better take the first steamer leaving for the north because he would be given no guarantee of safety to continue living in Arica; that, being aware that any delay in carrying out these orders involved serious mistreatment to delinquent persons as had occurred with Guillermo Carlos, he decided to sail on the steamer *Huasco* for Lima; that his family consists of his father and 4 brothers under age; that in 1919, the Prefect of Police compelled deponent as well as other Peruvians, by means of threats, to be present at a meeting where it was resolved to petition that the Provinces of Tacna and Arica should remain definitely annexed to Chile; that the Chilean authorities consistently intern Peruvian citizens as they attempted to do with deponent, sending them to Coquimbo, a fate which he managed to escape by proving that he was not of legal age for military service, being at the time only 17 years old; that he recalls the cases of Federico Centellas, a young man called Garay, and others whose names he does not remember, but whom he knows were Peruvians domiciled in Arica, and who were expelled by the Chilean authorities; that his witnesses are Victor Gil, Gutierrez Suarez, Siles and others, that his present address is Callao, Montezuma Street, No. 270.

(Signed) JOSE M. OLIVARES.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 230

In Lima, September 17, 1923, Justo Almoguer appeared, and after being duly sworn testified that: He is 18 years of age, a student, unmarried, born in Tacna where he has resided all his life, inscribed in the Civil Register of the Province, in possession of his baptismal certificate, and compelled by the Chilean authorities to register in the Chilean Military Register; that knowing he would be summoned to appear before the Court as a delinquent in military service of Chile, and as he is a Peruvian, as were his fathers before him, he preferred to leave Tacna to escape the persecution of the Chilean authorities who would otherwise



have taken him prisoner and made him carry out his military service; that the specific case he recalls is that of his cousin Jorge Atencio, who was taken prisoner in Arica and sent by force to the South; that his present residence is Lima, San Isidro Street, No. 272.

(Signed)

JUSTO ALMOGUER.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 231

In Lima, September 17, 1923, Luis Sanchez M. appeared, and after being duly sworn testified that: He is 19 years of age, a farmer, unmarried, born in Tacna, legally domiciled in the District of Para, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and compelled by the Chilean authorities to register in the Chilean Military Register; that, having been notified to present himself for duty with the O'Higgins Regiment in compliance with the Chilean Military law of compulsory military service, and as deponent considered such service incompatible with his Peruvian citizenship, he preferred to leave the territory in occupation by Chile, which was accordingly effected on the 12th of the present month on the steamer *Oroya*, to avoid the consequences of his refusal to serve; that the notification, referred to above, was brought to him by the Police Agent, Valderama; that his family consists of his parents and a sister, who have remained in Tacna; that among the cases of deportation by the Chilean authorities he can mention that of Victor Morris who was taken from Para and conducted to Arica, whence he was forcibly shipped to the Port of Caldera; that his present address is Lima, San Isidro Street, No. 272.

(Signed)

LUIS SANCHEZ M.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 232

In Lima, November 2, 1923, Carlos Lanchipa Caceres appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, carpenter by trade, born in the City of Tacna, which is his legal residence and where he has resided all his life, and inscribed in the Civil Register of the Province; that the Chilean authorities endeavored to have him register in the Chilean Military Register, but that he refused; that on the 19th of October last, upon being summoned by the Court, he testified that, owing to

his Peruvian nationality he could not serve in the Chilean army, a deposition he duly signed, and knowing that he would be proceeded against as a delinquent under the Law of Recruits and Substitutes, as had happened with all Peruvians in the position of deponent, and being no longer able to endure the persecutions directed against him in consequence of his refusal, he was compelled to leave the City of Tacna on the steamer *Oriana* for Callao in company with many young Peruvians who were emigrating for the same reason; that his family consists of his parents and five brothers, most of whom are still in Tacna; that the Chilean authorities systematically interned young Peruvian citizens, among whom he knows specifically of Leoncio Alay, Oscar Linares, José Molina y Quintana, Oscar Guisa, all of Tacna, who were conscripted and grossly abused; that his witnesses are Edmundo Sanchez, Pedro Montes de Oca, Alberto Palza, Santos Arenas, Alejandro Villagra, German Fuentes, Maximo Lanchipa, Carlos Vildoso and all those recently expelled from Tacna; that his present residence is Callao, Cusco Street, No. 152.

(Signed) CARLOS LANCHIPA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 233

In Lima, November 6, 1923, Luis Arturo Vargas Viscarra appeared, and after being duly sworn, testified that: He is 48 years of age, a merchant, married, born in Moquegua, legally domiciled in the City of Tacna, up to the date of his expulsion, in possession of his baptismal certificate and inscribed in the Peruvian Military Register; that the Chilean authorities endeavored to have him register in the Chilean Military Register, but that he refused; that on the 12th of January, 1922, he was notified to appear at the Prefecture of Police, where the Prefect, Florentino Herrera, compelled him by threats to leave the City of Tacna by the 15th of February; that deponent protested against this order of expulsion and asked that the matter be brought to the attention of the judicial authorities in case of any shortcomings on his part which would make such expulsion necessary; that the Prefect stated there were no motives of personal grievance against deponent, but that the measure was in obedience to a general order which came from headquarters, and referred to all citizens of Peruvian nationality, the Prefect adding that, as regards



persons of any social standing, he was empowered to grant reasonable delays, but that, with the rest of such citizens, he was instructed to sweep them out as chaff; that deponent stated that he could not leave the city within the time granted to him, not only because there was no just cause why he should do so, but also due to deponent's business contracts; that the Prefect of Police then replied that doubtless the Intendente would grant him an extension of time not exceeding 15 days, and that he should therefore apply to him; that while this was going on, and while at the same time the authorities were ceaselessly expelling Peruvians in large numbers every day, the newspapers of Tacna reproduced news items from newspapers published in the South of Chile and in the capital of this country, which were all to the effect that the Peruvians in Tacna and Arica were in the enjoyment of every possible guarantee, a fact which was supposedly proved by a visit paid to the Provinces of Tacna and Arica by the Chief of the Department for those provinces in the Ministry of Foreign Affairs of Chile, Luis Arteaga, and the likewise visit undertaken by Ernesto Barros Jarpa, also supposedly and ostensibly for the purpose of hearing the complaints of, and granting satisfaction to, the victims of the arbitrary methods of the Chilean authorities in the Irredentist Provinces, whose grievous condition had been written up in the Peruvian press; that upon the arrival of this gentleman (Minister of Foreign Affairs of Chile), and at the instance of deponent, it was thought fit to present a collective petition to this official, containing a list of the grievances of the Peruvian population and the arbitrary persecution suffered by it at the hands of the Chilean authorities, a petition which was not presented, owing to the report circulated by the said authorities to the effect that, the order of expulsion had now been suspended, while the victims were further withheld from proceeding with their intention, owing to the fact that they feared the vengeance which these same authorities would undoubtedly vent upon them were their intention of complaining put into practice; that as deponent never believed the report in question to be true, he decided personally, to present his complaint to the Minister of Foreign Affairs, Barros Jarpa, and sent him for that purpose, by registered mail from the City of Tacna, the communication, copy of which is hereunto annexed as is likewise the receipt for the same, received from the Post Office authorities of Tacna dated the 8th of February, 1922, No. 00356, a communication to which no reply was ever received; that a few days later the Minister of

Foreign Affairs left the city, and on the following day the time limit for deponent's expulsion having expired, he was again notified by the Police Official, Vargas, who was then in charge of the Prefecture owing to the absence of the Titular Official, and who, after having pointed out that deponent had not obeyed the order of expulsion directed against him, insisted upon his leaving by the first steamer which should touch at Arica, which deponent refused to do, and was thus able to secure a further extension until the month of March, but that upon the expiration of this further term, and deponent being still in Tacna, he was again summoned by the Prefect, Florentino Herrera, who stated that if he did not leave voluntarily on the 26th of that same month, he would be expelled by force; that upon the expiration of this time limit, and being in fear of the threat made against him, he appealed to the Italian Consul, Andres Laneri, to secure from the Intendente of the Province the rescission of this order of expulsion, or at least to obtain a further extension of 6 months so as to wind up his business affairs; that Consul Laneri undertook the matter in question, but notwithstanding his every effort, was only able to secure an extension up to the 15th of April; that upon the arrival of that date, and being determined not to leave Tacna, and so as to avoid the consequences of his refusal to leave, deponent voluntarily sequestered himself in his home and did not appear abroad, his servants being instructed to reply to the continuous applications by the police that their master was absent from the city; that deponent remained in this condition, the house watched day and night by Secret Police Agents for the purpose of arresting deponent if he should leave his residence, until the 15th of October, when, in view of the persistent notifications and besides, having been threatened that his house would be raided, he appeared before the Court to avoid the consummation of this threat; that the Judge, Lamberto Caro, questioned him as to the reason for his refusal to register in the Chilean Military Register and to serve in the army, and as deponent adduced his Peruvian nationality, the Judge required him to prove the same, informing him that he would be granted a certain time within which to produce witnesses, and refusing to take into consideration the several documents exhibited by deponent in proof of his nationality; that on the 21st of October, after having suffered further threats which included members of his family, he decided to leave the city on the steamer *Santa Elisa* for Callao; that his family consists of his wife, 7 children under age and an aunt of his wife, who



have remained in Tacna but who, owing to the absence of all guarantees of safety, will shortly have to rejoin deponent in Lima; that his property consists of 4 houses and 2 farms, besides his business establishment which, owing to his expulsion and to that of his Peruvian employees, has been closed since his departure, the total value of all this property being 300,000 pesos; that his losses amount to 60,000 pesos and his income which was 3,000 pesos a month; that the Chilean authorities persisted in obliging all Peruvian citizens, irrespective of their age, to register in the Chilean Military Register and to perform their military service, and to employ none but Chilean workmen who were continually being imported by the authorities for that purpose; that deponent, as a member of the Board of the Electric Light Company of Tacna, can vouch for the fact that this company decided to obey the order of the Intendente, Luis Barcelo Lira, through fear of the consequences, to dismiss all Peruvian employees of the company and replace them by Chileans, a record of this decision being contained in the Minute Book of the Board meetings of the said company; that witnesses to the above are Carlos Roberto Valdez Vildoso, Grimaldo Coaila, Justo Marin, E. Jara Almonte, Humberto Albarracin and among the foreigners residing in Tacna, Pedro Lapeyra, President of the Spanish Benevolent Society, Andres Laneri, Consul of Italy, Juan Bollo, merchant, Miguel Casanova, Spanish Vice-Consul, Clarence Elliot, former Vice-Consul of Great Britain, and Carlos Metroux, a French citizen, and in general, all the inhabitants of Tacna; that his present address is Chorrillos, Tarapacá Street, No. 7. Deponent further testifies that all the foregoing incidents referring to his expulsion and to the various abuses committed by the authorities to secure the same, were verbally brought to the attention of the members of the Consular Body in Tacna, while written notification was sent to the American Consul in Arica, Vontrescow, with the exception of the last attempt to raid his domicile, which was verbally communicated to this Consul through the former German Consul in Arica, Alejandro Visscher, while he notified the French Vice-Consul and the Bolivian Consul, Rufino Pando, of this latter fact upon the occasion of his passing through Arica to take ship.

(Signed)

L. A. VARGAS.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 234

In Lima, November 15, 1923, Gerardo Caceres appeared, and after being duly sworn testified that: He is 22 years of age, a farmer, unmarried, born in Arica and legally domiciled in the District of Livilca all his life, and inscribed in the Civil Register of the Province; that during the first days of the month of October he was notified to register for military service, and upon declining, owing to his Peruvian nationality, he was threatened with expulsion, whereupon deponent consented to register, being given four days for the purpose, but that before this time limit expired, he went to the Port of Arica and worked on a farm belonging to Idro Pastori, but upon learning that he was being sought for by the police, and having been able to escape them by hiding, he decided to leave on the steamer *Orcoma* for the Port of Mollendo, and subsequently reached Lima; that his family consists of his mother and five brothers under age who have all remained in the district Livilca, excepting his brother Heraclides, who was likewise expelled and is at present in this city; that among the internees whom he knows personally, he can mention Gregorio Cañipa and Juan Cañipa, both of the same district of deponent, who were taken by force during the night from their homes by the Chilean authorities; that bands of police officials overrun the district, not only depriving Peruvian citizens of the produce of their farms, but likewise ill-treating them cruelly; that the farmers in the valleys of Arica are compelled to sell their produce at a price arbitrarily decided upon, to the owners of the market stands, all of whom are now, and who have been for over a year back, citizens of Chile imported for that very purpose; that witnesses to the above are Maximiliano Velasquez, Ernesto Calvo, Abel Arredondo and all those who have recently been expelled from Arica; deponent attaches to this declaration his passport issued by the Bolivian Consul.

(Signed)

GERARDO CACERES.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 235

In Lima, November 17, 1923, Juan C. Figueroa appeared, and after being duly sworn, testified that: He is 21 years of age, a clerk, unmarried, born in the City of Tacna which is his legal residence and where he has lived all his life, and in possession of his baptismal certificate; that on the 15th of August last, the Police Agent Valderrama, summoned him to appear before the Primary Court of



Tacna as a delinquent under the provisions of the Law of Recruits and Substitutes, but that, aware of the fate which had befallen his fellow-citizens who had been condemned to imprisonment and military service in the army, he decided to leave the City of Tacna since he could not bring himself, as a Peruvian citizen, to serve in the Chilean army, taking passage therefore, on the steamer *Orita* for Callao on the 18th of August; that his family consists of a brother who is at present in Callao, having been likewise expelled; that he owns a house in the City of Tacna worth 2,000 pesos which he was obliged to rent under very unfavorable conditions; that his losses are at least 600 pesos and his earnings, which were 200 pesos a month; that many young Peruvian citizens have been interned by the Chilean authorities whose names he does not know because they hail from the outlying districts, but that he knows of the specific cases of Francisco Gil and Ignacio Cama; that the Chilean authorities and the soldiers from the garrisons continually molest and persecute the Peruvian citizens, not only by personal assaults but by hindering them in their business, while the measure of calling to the colors all male Peruvians indiscriminately, with no considerations for any age limit, has been the cause of arousing widespread terror in the captive provinces; that witnesses to the above are Zenon Soto, Alejandro Alvarez, Carlos Soto, Eduardo Jara Almonte and in general, all the deportees who have recently arrived from Tacna; that his present address is Callao, Buenos Aires Street, No. 121.

(Signed)

JUAN C. FIGUEROA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 236

In Lima, November 24, 1923, Alfredo Sagredo appeared, and after being duly sworn testified that: He is 23 years of age, a farmer, unmarried, born in Tacna and inscribed in the Peruvian Military Register; that on the 21st of October last, he was notified in his residence by the Secret Service Agent, Manuel Barahona, to appear before the Judge of the Primary Court in Tacna as a delinquent under the Law of Recruits and Substitutes, and knowing that that same day several of his fellow-countrymen had been conscripted into the Chilean army and that the suits for the violation of the above law usually brought about enforced military service and a prison term, he decided to leave on the steamer *Orita* for the Peruvian Port of Mollendo; that his family consists



of his mother and three children under age who are at present in Tacna, but who will shortly join deponent in Lima owing to the persecutions of which they are the victims; that his losses amount to 3,500 pesos, and his earnings which were 250 pesos a month; that among the internees he can mention Manuel Luna, Melendez, Quintana, Estrada, all of whom belonged to the City of Tacna; that the Water Delegates of the Caplina and Uchusuma Rivers, Messrs. Manuel Corvalon and Fernando Perez, Chilean citizens arbitrarily imposed by authorities, commit all manner of abuses by suppressing the rightful amount of water due to the community, and thus hindering their labors; that their farms are frequently invaded by soldiers and police agents who carry off the produce and the cattle, and in addition, assault the owners thereof; that the Chilean Sugar Refining Company, which has been established in Tacna three or four years ago, and which has no water supply of its own for the irrigation of its sugar plantations, arbitrarily appropriates part of the water of the Uchusuma River to the consequent injury of the Peruvian farmers, all of which is done with the complicity and the most decided support of the authorities and the Delegate, Fernando Perez; that the farmers, among whom is deponent, are obliged to sell their produce to the owners of the market stands in Tacna at prices arbitrarily fixed by a Chilean Municipal Inspector; that the farmers are almost all of Peruvian nationality, while the stand owners are Chileans imported for that very purpose by the authorities a year and a half ago, in place of the original Peruvian owners who have been all expelled by the Chilean authorities; that witnesses to the above are Alberto Forero, Miguel Collao, Emilio Lanchipa, Cruz Marcos, and in general, all those who have recently been expelled from Tacna; that his present residence is Lima, Sacramento de Santa Ana Street, Barracks of the Republican Guard Regiment; deponent further testifies that his identification card and vaccination certificate are hereunto attached as additional proof.

(Signed)

ALFREDO SAGREDO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 237

In Lima, November 24, 1923, Agustin Laura appeared, and after being duly sworn testified that: He is 19 years of age, a farmer, unmarried, born in Tacna and legally domiciled in the country around Tacna, inscribed in the Civil Register of the Province, and that the



Secret Service Agent, Barahona, compelled deponent's uncle, Anacleto Yufra, to inscribe him in the Chilean Military Register, and that he is at present arranging for his voluntary registration in the Peruvian Military Register; that on the first of September, last, two police agents appeared in his home and summoned him to appear at the Police Barracks of Tacna as a delinquent under the Law of Recruits and Substitutes; that deponent's mother stated that he was a Peruvian and therefore was not obliged to fulfill this requirement, since the inscription of her son in the Military Register had been obtained through duress, and was therefore without value, a statement whose only result was the raiding of deponent's home by the police agents, although deponent managed to elude them successfully; that deponent remained in hiding until he was able to flee to the Peruvian Frontier at Sama, which he, in fact, did on the 20th of October during the night, and was subsequently able to continue his journey to Lima; that his family consists of his mother and a sister who have remained in Tacna exposed to the persecutions of the authorities who, as is well known, have no regard for sex or age; that in company with his mother and sister he owns a farm in the Aica Pass in the country around Tacna, which is worth 7,000 pesos; that he has lost the harvests of this farm worth about 2,000 pesos, as well as his earnings which were 3,000 pesos a month; that a few months before the persecution he has just related, the Secret Service Agent and the Prefect of Police of Tacna tried to obtain from deponent a written declaration to the effect that, on account of the guarantee, and the progress and the comforts which were enjoyed by the denizens of the Province of Tacna, these latter would view with sympathy the perpetual remaining under Chilean dominion of these Provinces, a declaration which deponent refused to sign, notwithstanding the serious threats which were thereupon made to him, being a short while later so persecuted that he was compelled to leave the City of Tacna; that among the deportees whom the Chilean authorities have deported he recalls the specific cases of Carlos Condori, José Perez, Modesto Collao and José Espinoza, all belonging to the countryside around Tacna; that the soldiers of the Chilean army overrun the farms belonging to Peruvian citizens and seize their produce and cattle by force, while the members of the community around the Caplina and Uchusuma Rivers are obliged to appoint the Chilean citizens, Manuel Corvalon and Fernando Perez as Water Delegates, these latter appropriating for their own use, or selling to third parties, the water which would



rightfully belong to the community; that the Peruvian farmers are compelled to sell their produce to the Chilean owners of the market stands at a price arbitrarily fixed by the Chilean Municipal Inspector, and the Chilean Sugar Company unduly and unlawfully, with the connivance of the authorities, appropriates the water which rightly belongs to the community, for its own uses; that witnesses to the above are Emilio Lanchipa, Cruz Marcos, Alberto Forero, Carlos and Zenon Soto, Julio Giron and Jacinto Jufra, and all those recently arrived from Tacna; that his present address is Lima, Santa Ana Street; that his identification papers and certificates issued to him by the Chilean authorities were taken from him by force by the Secret Service Agent, Manuel Barahona.

(Signed) A. LAURA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 238

In Lima, November 26, 1923, Fabio Quelopana appeared, and after being duly sworn testified that: He is 17 years of age, a laborer, unmarried, born in Tacna and legally domiciled in the Port of Arica since 1920, and previous to that, in the City of Tacna since his birth, and inscribed in the Civil Register of the Province; that on the 4th of October, he was compelled to leave the Port of Arica, owing to the persecution he had suffered, and to the further threat of being conscripted into the Chilean army; that deponent left for the City of Tacna, where he was likewise persecuted and abused, owing to which he remained in hiding for a few days with four of his fellow-countrymen until they saw their chance to escape by night to the Peruvian Frontier of Sama, whence he continued on to Lima; that his family consists of his father and a brother under age; that recently Peruvians were not only conscripted into the Chilean army but others, by means of promises of remunerative employment in the nitrate fields of Iquique, were persuaded to take passage for the South, but in case they refused they were taken by force, violently abused and put on board the vessels against their will, none of the families of these deportees ever hearing from them again after their departure; that police agents commonly arrested Peruvian citizens in the streets, and after confining them in the Police Barracks, would set them to street-cleaning work before allowing them to go free, while Peruvian citizens of better standing were fined, instead;



that witnesses to the above are Salomon Alfaro, Dionisio Gutierrez and German Mena; that his present address is Lima, Sacramento de Santa Ana Street.

(Signed)

FABIO QUELOPANA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 239

In Lima, November 28, 1923, Humberto Butron Blanco appeared, and after being duly sworn testified that: He is 20 years of age, unmarried, a farmer, born in Arica which is his legal domicile and where he has resided all his life; inscribed in the Civil Register of the Province and in the Peruvian Military Register; that in the month of December, 1918, when he was only 16 years of age, the Police Agent, Lauquen, and 2 corporals of the Rancagua Regiment appeared to conscript him for service in the Chilean army, and as, at that time the persecutions against Peruvian citizens in Arica had become most virulent, and as the threat to conscript deponent was about to be made effective, he took advantage of the first steamer which touched at Arica, and went on board by night, subsequently reaching Callao where he voluntarily presented himself for service in the Peruvian army; that his family consists of two brothers under age, who were obliged to follow him in his flight; that, together with these brothers, he is the owner of a farm in the Valley of Azapa in the Province of Arica, which is worth 70,000 pesos, and which is now in possession of one of his relatives who refuses to pay any rent, notwithstanding all the efforts deponent has made in that direction; that witnesses to the above are Enrique Ward, Pedro Pescetto, Raul Rey and Juan Ramirez; that his present address is Lima, Pressa Street.

(Signed)

HUMBERTO BUTRÓN.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 240

In Lima, December 3, 1923, José Rospigliosi appeared, and after being duly sworn testified that: He is 27 years of age, unmarried, an electrician by trade, born in Tacna, and domiciled in Tacna since his birth, in possession of his baptismal certificate and inscribed in the Civil Register of the Province and in the Military Register of Peru; that in the month of October last, he was summoned to appear in Court as a delinquent under the

provisions of the Law of Recruits and Substitutes and that a few days later, towards the end of the month, above mentioned, the Police Agent, Canales, notified him to appear once more before the Court, where the Clerk thereof, named Ritter, read to him the sentence which condemned him to 60 days' imprisonment and two years' military service in the army, as well as payment for costs of the case, amounting to 18 pesos which deponent paid, the Clerk refusing to give him copy of the sentence or a receipt for the money paid; deponent thereupon instituted an appeal for the purpose of gaining time to enable him to leave the city, which he in fact did on the 11th of November, proceeding towards the Provisional Frontier of Sama, together with 14 of his fellow-citizens who were likewise fleeing to escape service in the Chilean army, that his family consists of his mother, 5 brothers and an aunt, of whom the first, and last and her sister still remain in Tacna, but who, owing to the persecution directed against them, are shortly to come to Lima, all deponent's other brothers having already been expelled; that deponent, in company with his mother and brothers, is the owner of four houses and a farm in the City and countryside of Tacna, which he values at 86,000 pesos; that his losses amount to 2,000 pesos, and his earnings which were 400 pesos a month; that the Chilean authorities had steadily interned Peruvians, but precisely where, deponent is unable to say; that among the internees whom he knows, he can mention the names of Wenceslao Zavala, José Rosas Flores, Carlos Molina, Juan Silva, and others, whose names he does not recall, domiciled in the City of Tacna, who were apprehended by force in the public streets and at their work; that police agents continually detained Peruvians, took them to the Police Barracks, where they were usually mercilessly flogged, fining some of these before setting them at liberty, while others were kept in confinement before they were either conscripted into the Chilean army or sent south as internees; that the persecutions suffered by Peruvian citizens at the hands of the soldiers and the authorities were such, that most of them were compelled for very safety of their lives to remain sequestered within their homes, not daring to go abroad, which, however, did not always avail, since they were sometimes apprehended, owing to the raiding of their homes; that witnesses to the above are Humberto Castillo, Alejandro Rospigliosi, Carlos Gil, Luis Vargas, and in general, all those deportees recently arrived from the Province of Tacna; that his present residence is Lima, Santa Ana Street; deponent further testifies that his passport and identifica-



tion card were forcibly taken from him by the soldiers on the frontier, the only document issued by the Chilean authorities which he was allowed to retain being the vaccination certificate which is hereunto attached.

(Signed)

JOSÉ ROSPIGLIOSI.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 241

In Lima, December 3, 1923, Oscar Caceres appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a hospital attendant, born in Tacna, and legally domiciled in Tacna where he has resided all his life, and inscribed in the Civil Register of the Province; that on the 5th of November, while deponent was at his work in the San Ramon Hospital, the Police Agent, Soto, appeared and told him to call at the Intendency for the purpose of receiving his identification card, but deponent, fearful of being made the victim of the persecution which other Peruvians had suffered, did not carry out these instructions, but instead, started on foot for Sama whence he eventually reached Locumba and then Hospicio, sailing from the Port of Ilo for Callao on the 15th of November on the steamer *Huallaga*; that his family consists of his parents and 5 brothers who arrived in Lima with him, excepting 3 brothers who have remained in Tacna; that his present address is Lima, Santa Ana Street.

(Signed)

OSCAR CACERES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 242

In Lima, December 4, 1923, Pedro Cutipa appeared, and after being duly sworn stated that: He is 26 years of age, unmarried, a merchant, born in Tacna which is his legal residence and where he has lived all his life; that on the 4th of August he was summoned before the Court as a delinquent under the provisions of the Law of Recruits and Substitutes, declaring that, as a Peruvian he was not expected to serve in the Chilean army; that a few days later he was notified respecting the sentence of 60 days' imprisonment and two years' service in the Chilean army which had been passed upon him; that deponent appealed against this sentence of which no copy was given him, although so requested; that, having been threatened with conscription by the Chief of the Secret Service,

Manuel Barahona, and noticing from frequent arrests that the persecution against Peruvian citizens was increasing, he decided to seek safety against such abuse, and started on foot for the Frontier at Sama to avoid the indignity of being obliged to serve in the Chilean army; that he has one brother who resides in the Port of Arica; that he was the proprietor of a small general store worth 1,800 pesos which he was obliged to transfer at considerable loss, owing to the hurried nature of his departure; that he estimates his losses to be 800 pesos, and his earnings which were 200 pesos a month from his business and from additional work in the macaroni factory; that Peruvian merchants are continually hampered in their business, their hours of labor being arbitrarily fixed, being required to pay increased license dues, compelled to employ Chilean assistants and in addition, being continually exposed to the attacks of Chilean residents and the police, deponent testifying that he was frequently assaulted in his store by members of the Chilean army for no other reason than that of his nationality; that in the City of Tacna, Peruvian citizens are continually provoked and assaulted with no consideration for age nor sex; that witnesses to the above are Isaac Loza, Alberto Palza, Alejandro Villajara, Carlos Lanchipa, Mariano Giron, Luis and Manuel Zevallos and in general, all those deportees who have recently arrived in Tacna; that his present address is Lima, Santa Ana Street; deponent further testified that the soldiers on the frontier forcibly took from him his passport and his vaccination certificate, stating that they were acting upon instructions from the Intendente.

(Signed)

PEDRO CUTIPA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 243

In Lima, December 5, 1923, Isaac Loza appeared, and after being duly sworn testified that: He is 24 years of age, a farmer, unmarried, born in the City of Tacna in the surrounding country of which he has lived all his life, and inscribed in the Civil Register of the Province; that having been summoned by the Police Officer, Fuenzalida, to appear at Court in the City of Tacna (the Judge of which was Lamberto Caro) on the 5th of August last, he declared that the reason for failing to register in the Chilean Military Register was due to the fact that he was a Peruvian citizen and therefore not required to effect his military service in the Chilean army; that on the 30th of August the Clerk, Sr. Montt, notified



him that sentence had been passed upon him of 60 days' imprisonment and two years' military service for failing to so register, charging him 20 pesos for the costs of the case, a sum which deponent immediately paid, and appealed against the sentence; that owing to the circumstances previously related, and noticing that the authorities continued detaining his fellow-citizens without even awaiting the verdict of the Superior Court of Iquique on the cases which had been appealed, and for the purpose of avoiding a similar fate, he decided to leave for the provisional Frontier of Sama, which he did on the 10th of September last, whence he eventually proceeded on to Lima; that his family is composed of his parents and 6 brothers who have all, with the exception of 2 brothers, remained in Tacna where they are continually being persecuted by the Chilean authorities; that his losses amount to 1,500 pesos, and his earnings which were 250 pesos a month; that the Chilean authorities have never ceased to intern Peruvian citizens among whom he knows of the specific cases of Felipe Sanchez and Carlos Ara, denizens of the City of Tacna and neighbors of deponent, who were seized in the public streets and deported; that the troops garrisoning Tacna, on the frequent occasions when they went out for drill, overran the farms, destroying the crops and taking possession of whatever they wished, while their superior officers never interfered to prevent such abuses which were even greater when the soldiers happened to be on leave; that the Revenue Treasurer, Corvalon, and the Mayor, Fernando Perez, both Chilean officials, in their capacity as Water Delegates of the Rivers Caplina and Uchusuma, continually hinder the Peruvian farmers in their work by withholding from them the amount of water they are entitled to, which they subsequently convert to their own use, while the arbitrary price-fixing of agricultural produce, and the compulsory selling of the same to the Chilean owners of the market stands by Peruvian farmers was another of the unjust instances of petty persecution suffered by the citizens of Peru; that witnesses to the above are Pedro Cutipa, Julio Forero, Pedro Montes de Oca, Alejandro Valdivia, Luis Arroyo, and in general, all the recently arrived deportees from Tacna; that his present address is Lima, Santa Ana Street; deponent further testifies that the Chilean soldiers on the frontier forcibly took possession of his identification paper and that all that was left to him was the vaccination certificate issued by the Chilean authorities, which is annexed hereto.

(Signed) ISAAC LOZA.

(Signed) GALLAGHER Y CANAVAL.

In Lima, December 5, 1923, Alejandro Rospigliosi appeared, and after being duly sworn testified that: He is 37 years of age, unmarried, a farmer, born in Tacna which is his legal domicile and where he has resided all his life, and inscribed in the Civil Register of the Province; that during the first days of the month of October last, he made a declaration before the Judge, Lamberto Caro, to the effect that deponent was a Peruvian citizen and therefore not affected by the provisions of the Law of Recruits and Substitutes, whereof he had been accounted a delinquent; that at the end of this month he was notified respecting the sentence of 60 days' imprisonment and two years' service in the Chilean army which had been passed upon him; that an attempt was made to charge him 100 pesos, costs of the action, but deponent was only willing to pay 18 pesos, and could not obtain copy of the sentence nor a receipt for this sum; that notwithstanding he appealed against the sentence, but knowing that the authorities arbitrarily disregarded such appeals and proceeded to arrest and enroll Peruvian citizens in the Chilean army, and fearful that this fate might overtake him likewise, deponent decided to flee to the provisional Frontier at Sama during the first days of November; that his family consists of his mother, 5 brothers and an aunt, of whom the first and last and a sister, remain in Tacna, but who are shortly to come to Lima since the other members of his family have been expelled; that deponent, in company with the members of his family, is the owner of 4 houses and a farm located in the city and the countryside of Tacna respectively, and which are worth from 86,000 to 90,000 pesos; that his losses are 3,000 pesos, and his earnings which were 250 pesos a month; that the Chilean authorities have never ceased to intern Peruvian citizens to the south of Arica, the specific cases of which deponent is cognizant being those of Carmelo Saco, Wenceslao Zavala, José Rosas Flores, Juan Silva, all denizens of the City of Tacna, who were taken by force; that deponent has had the opportunity, having been summoned to the Prefecture of Police, to see how Peruvian citizens upon the flimsiest pretext, are assaulted in their persons by the Secret Service Agent, Manuel Barahona; that he knows, also, that fishermen of Peruvian nationality, who operate on the shores of the Tarada and the Mouth of the River Sama in the Province of Tacna, are forbidden to ply their trade; that deponent being himself a farmer, can testify to the continual thefts which are



suffered by these people at the hands of soldiers and civilians of Chilean nationality, who overrun the fields, damage and take possession of the crops and even the cattle, while no complaint dare be made because such action would only cause an increased hostility on the part of their aggressors; that witnesses to the above are Humberto Castillo, Andres Flores, Juan Pablo Espinoza and Oscar Caceres; that his present address is Lima, Santa Ana Street; deponent further testifies that the Chilean soldiers on the frontier, took possession, by force, of his identity papers and passports, stating that they were acting upon orders from the Intendente of the Province, and that all that he was enabled to save was his vaccination certificate issued by the Chilean authorities, and which is attached hereto.

(Signed) A. ROSPIGLIOSI.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 245

In Lima, December 6, 1923, German Mena appeared, and after being duly sworn testified that: He is 29 years of age, unmarried, a farmer, born in Arica which is his legal domicile and where he has resided all his life, and inscribed in the Civil Register of the Province; that on the 10th of October last, the Police Officer, Valdez, appeared at deponent's residence, located at No. 6 Blanco Encalada Street, for the purpose of arresting him for deportation, to avoid which deponent decided to leave Arica and started for Sama; that his family consists of his parents and a sister who have remained in the Port of Arica; that deponent has lost, in consequence, his occupation which brought him in 180 pesos a month, and that the Chilean authorities have never ceased to deport Peruvian citizens who are generally arrested in the streets of Arica and sent to Copiapó where they enrolled in the Chilean army, deponent recalling specifically the cases of the deportees, Juan Cornejo and José Maria Carrasco; that all occupations on the docks and markets, formerly held by Peruvians, are now held by Chilean citizens, the former having been arbitrarily dispossessed; that witnesses to the above are Salomon Alfaro, Dionisio Gutierrez and Armando Chombo; that his present address is Lima, Santa Ana Street.

(Signed) GERMAN MENA.

(Signed) GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 246

In Lima, December 6, 1923, Mariano Bustios appeared, and after being duly sworn testified that: He is 57 years of age, married, a farmer, born in Tacna which is his legal domicile and where he has resided all his life, and in possession of his baptismal certificate; that on the 24th of September last, he was detained at the Police Station of Tacna because he had not his identification card upon him, remaining incommunicado all that day, and was only set free through the supplications of his wife; that he was again summoned to appear, and the Secret Service Agent, Manuel Barahona, notified him that he would have to leave the City of Tacna within 15 days, giving him as a reason for such expulsion, that deponent was a Peruvian citizen; that on the 11th of October last, he therefore took passage on the steamer *Imperial* for the Peruvian Port of Ilo; that his family consists of his wife and four children, two of whom are under age, and who are all present with deponent in Lima; that he owns a house and a farm in the Province of Tacna worth 15,000 pesos; that his losses are 2,000 pesos, and his earnings which were 400 pesos a month; that Peruvian citizens are insulted and assaulted in the streets and public thoroughfares by public officials, soldiers and others of Chilean nationality; that in the outlying districts, on country roads, the Chilean soldiers, but principally the carbineers, commit the grossest abuses; that recruiting is a frequent occurrence, no home being safe from a raid, while in general, Peruvian citizens are not granted any guaranties of safety, which causes them to live in a state of perpetual and terrified anxiety; that witnesses to the above are Enrique Masuelos, Teodoro Bustios, Mariano Giron and Salomon Alfaro; that his present address is Callao, Ancachs Street, No. 112.

(Signed)

MARIANO BUSTIOS.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 247

In Lima, December 6, 1923, Jorge Maldonado appeared, and after being duly sworn testified that: He is 19 years of age, a student, unmarried, born in Tacna which is his legal domicile and where he has resided all his life, and inscribed both in the Civil Register of the Province and the Peruvian Military Register; that on the 31st of December, 1922, he was notified by a police agent, to appear at the Prefecture in regard to the accusation made against him of being a delinquent under the provisions of



the Law of Recruits and Substitutes, notwithstanding the fact that deponent was under age and of Peruvian nationality; that being aware that at that time numerous fellow-countrymen of his were being conscripted, and that he was running the same risk in case he returned home (of being definitely arrested), deponent decided to leave that same night for the Frontier of Sama, whence he continued his journey on to Lima; that his family consists of his parents and 8 brothers, who have all been expelled; that the Chilean authorities have never ceased to intern Peruvian citizens, among whom he can mention Manuel Azapa, Manuel Berrios, and a great many more whose names he does not know, because they were brought in from the outlying districts; that all manner of abuses and attacks are committed, not only against the persons, but also on the property, of Peruvian citizens, among which he can mention the sequestration of the young men Victor and Mateo Reynoso, whose whereabouts have never been revealed; the attack and the burning of Dr. Carlos Basadre's house, situated in Pocollay in the Province of Tacna; the conscripting into the Chilean army and the interning, to the Southern provinces of Chile, of Peruvian citizens; the orders sent to all commercial houses to dismiss their Peruvian employees, as has happened with the Arica-to-Tacna Railroad Company, and the Electric Light Company, as well as many other business firms, who have been compelled to substitute these employees by others of Chilean nationality who have been brought to Tacna in recent times for this very purpose; that witnesses to the above are Mariano Giron, Guillermo Gomez, Arturo Zapata, Manuel Bocanegra, German Morales and indeed, all the recently arrived deportees; that his present address is the Military College in Chorrillos; deponent further testifies that his identification card and his vaccination certificate issued by the Chilean authorities were left in the City of Tacna, owing to the precipitate nature of his departure, and he knows that these documents are now in the hands of the Chilean police authorities who raided and searched his home when it was found that he had escaped.

(Signed) J. MALDONADO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 248

In Lima, December 7, 1923, Juan Pablo Espinoza, appeared, and after being duly sworn testified that: He is 39 years of age, a fisherman, unmarried, born in Tacna and domiciled in the City

of Tacna all his life, and in possession of his baptismal certificate; that on the 28th of August last, he appeared before Judge Lamberto Caro of the Primary Court of Tacna, summoned as a delinquent under the Law of Recruits and Substitutes, deponent testifying that as a Peruvian citizen he was not obliged to serve in the Chilean army; that on the 1st of October, a Clerk of the Court, Montt, notified him that sentence of 60 days' imprisonment and two years' military service had been passed against him, as well as being condemned in costs, of which deponent was only able to pay 5 pesos, the above mentioned Clerk declining to give him a copy of the sentence or a receipt of the fees paid; that deponent then appealed against the sentence to the Higher Court to gain time within which to make his escape and so avoid being conscripted; that a few days later, noticing that internment was being chiefly had recourse to against Peruvians in preference to other and usual methods of persecution, deponent decided to leave immediately, which he in fact did for the Peruvian Frontier of Sama; that his family consists of his mother and 3 brothers, two of whom are under age and who will all have to leave Tacna on account of the persecutions suffered by them; that the Chilean authorities ceaselessly intern Peruvian citizens, among whom he can mention Wenceslao Zavala and Carlos Molina, belonging to the City of Tacna; that Peruvian citizens, with no regard for sex, age or social standing, are insulted and abused by the very police agents; that all liberty to exercise any trade or calling is arbitrarily withheld from Peruvian citizens; that the fishermen of the coast and at the river mouth in Tacna, among whom deponent is one, are required to exercise this calling as servants of the Chilean citizen Sepulveda, depriving great numbers of men, who have exercised this calling freely from the remotest times, of the means of earning their livelihood; that the violent conscripting and various other measures of persecution employed against his fellow-countrymen have made living in the City of Tacna a veritable nightmare; that witnesses to the above are Alejandro and Alfredo Rospigliosi, Humberto Castillo, Oscar Caceres, Federico Rueda and all those who have recently been deported in Tacna; that his present residence is Lima, Santa Ana Street; that deponent further testifies that the Chilean Carbineers on the frontier deprived him by force of his identification papers and vaccination certificate issued by the Chilean authorities, stating that they were proceeding in this manner according to instructions from headquarters.

(Signed) JUAN ESPINOZA.

(Signed) GALLAGHER Y CANAVAL.



# AFFIDAVIT No. 249

In Lima, December 20, 1923, Domingo Vargas appeared, and after being duly sworn testified that: He is 24 years of age, unmarried, carpenter by trade, born in Tacna, which is his legal domicile and where he has resided all his life, and in possession of his baptismal certificate; that towards the end of the month of October last, learning that several police officers had appeared at his residence for the purpose of summoning him to appear at the Police Barracks to explain the reason of his delinquency under the provision of the Law of Recruits and Substitutes, and being fearful of the fate which might overtake him, owing to his Peruvian nationality, deponent hastened to leave the territory, taking passage on the steamer *Oriana* from Arica to the Peruvian Port of Mollendo, whence he continued on to Lima; that his family consists of his father and 3 brothers of whom 2, who are under age, have remained in Tacna; that the damage suffered by deponent consists in the loss of his employment which brought him in 5 pesos a day; that the Chilean authorities have deported many Peruvians, among whom he can mention Miguel Valerno, Manuel Arata and Manuel Rejas as well as many others; that officers and soldiers of the Garrison constantly abuse Peruvian citizens in the public streets, where they hardly dare venture, owing to the absence of every guarantee of safety, the police generally inciting the aggressors to further disorders, while the countryside is invaded by these same soldiers who do not hesitate to forcibly take possession of the crops and cattle belonging to Peruvian farmers; that witnesses to the above are Lorenzo Ostolaza, Daniel Crespo and Fermin Caceres Rueda; that his present residence is Lima, Santa Ana Street; deponent further testifies that his identification card and vaccination certificate, issued by the Chilean authorities, as well as the passport furnished him by the Consul of Bolivia in Arica, are hereunto attached.

(Signed)

DOMINGO VARGAS.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 250

In Lima, December 20, 1923, Enrique Moyano appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, a laborer, born in the Port of Arica which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate and inscribed in the Civil Register of the

Province; that during the middle of October, last, being persecuted and trailed by the police authorities to compel him to enroll and serve in the Chilean army, he was obliged to hide, awaiting a favorable opportunity to reach the Peruvian Frontier of Sama through Tacna, which he was able to do, and eventually reach Lima; that his family consists of his mother and sister, the former of whom is still in the Port of Arica; that deponent has lost his position and his earnings which were 150 pesos a month; that in the Port of Arica the police continually ill-treat Peruvian citizens, taking them to the Police Barracks where they are most inhumanely abused, are fined and then usually conscripted in the Garrison of that port or of Tacna, but most commonly interned to the south of Arica; that the proprietors of stores and business establishments are compelled by the authorities to dismiss their Peruvian employees and substitute them by men of Chilean nationality who have been brought for that purpose, and to induce them to settle as colonists in the Provinces of Tacna and Arica; that all correspondence addressed to Peruvians is usually violated in the Post Office; that witnesses to the above are Edmundo Corbacho, José Rosas, Eloy Baluarte and Julio Zegarra; that his present address is Lima, Malambo Street.

(Signed) ENRIQUE MOYANO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 251

In Lima, December 24, 1923, Benjamin Solis del Valle appeared, and after being duly sworn testified that: He is 55 years of age, married, laborer, born in Arica which is his legal domicile and where he has resided all his life, and in possession of his baptismal certificate, having been notified by the Chief of the Secret Service Police of Arica that he would have to leave the territory within 15 days owing to his Peruvian nationality, and knowing in addition, that all who disobeyed these mandates were seriously abused and were likewise exposed to deportation; that deponent, fearful that such fate might overtake him, decided to take passage before the expiration of the time limit, and in fact, sailed on the 12th of October last, for the Peruvian Port of Ilo, whence he eventually reached Callao; that his family consists of his wife and 7 children of whom one is under age, and who have all remained in Arica with the exception of his youngest son Roberto, who is now in Callao, deponent expecting the arrival of his family shortly so as



to deliver it from the persecution which it is at present suffering at the hands of the Chilean authorities; that he is the owner of a house located in Blanco Encalada Street in the Port of Arica, worth 2,500 pesos; that the Chilean authorities continually deported Peruvian citizens to various provinces to the south of Arica, among whom he can mention Angel Braes, Gabriel Lopez, Eduardo Diaz, Serafin Valenzuela, Felipe Zarate and many others whose names he does not, for the moment, recall, domiciled in the Port of Arica and violently conscripted and subjected to gross mistreatment, when they resisted arrest; that Peruvians are continually molested and assaulted in the public streets, are arbitrarily arrested and taken to the police headquarters where they are sometimes severely beaten by the very police authorities, who, likewise, do not scruple to raid private homes and assault the inmates thereof; that witnesses to the above are Eusebio, Avelino, and Valentin Maldonado, Ventura Albarracin, Fortunato Jimenez and Madueño; that his present residence is Callao, Moquegua Street; that deponent attaches hereunto his vaccination certificate and a passport issued by the Bolivian Consul in Arica.

(Signed) B. SOLIS DEL VALLE.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 252

In Lima, December 26, 1923, Manuel Licerazo appeared, and after being duly sworn testified that: He is 54 years of age, married, business man, born in Tacna and legally domiciled in Arica since 1880, until the date of his expulsion, and previous to that in the City of Tacna, and likewise in possession of his baptismal certificate; that on the 20th of October last, the Secret Service Agent of Arica, Valdez, notified him that he would have to leave the Province by the first of November, but owing to deponent's illness it was impossible to carry out the order of expulsion, having obtained from the District Attorney, Juan de Dios Cepeda, an extension of time owing to his illness, which he was able to secure upon payment to this official of 100 pesos, and that upon recovering his health he left Arica on the steamer *Aysen* on the 20th of that month for Callao; that his family consists of his wife, 5 sons under age, and his mother-in-law, who are at present in Callao, having been likewise expelled with deponent; that he is owner of a house in Arica worth 5,000 pesos; that he estimates his losses to be 8,000 pesos and his earnings which were 1,000 pesos a

month; that the Chilean authorities have steadily deported Peruvian citizens to places south of Arica among whom he can mention Angel Bras, René Ordoñez, Juan Pimentel, Juan Tara, all domiciled in Arica and the Valley of that name; that the police authorities of Arica continually arrested Peruvian citizens, conducted them to the police headquarters where they were grossly ill-treated and sometimes tortured, at times expelling the victims or interning them; that life had become impossible, owing to the continual state of alarm in which the Peruvian population lived daily, consequent upon the restrictions for exercising their business or callings, the arbitrary arrests, the raiding of the homes at all hours of the day and night, and the very real danger to which all Peruvian citizens were exposed upon merely leaving their homes to go abroad or attend to their business; that witnesses to the above are Rosendo Carrasco, Guillermo Tay, Luis Rondon and all those recently deported from Arica; that his present address is Callao, Chorrillos Street No. 26; that deponent attaches hereto his identification card and the vaccination certificates of his three sons, issued by the Chilean authorities.

(Signed) MANUEL LICERAZO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 253

In Lima, the 27th of December, 1923, Cesar C. Siles appeared, and after being duly sworn testified that: He is 23 years of age, unmarried, a tailor by trade, born in Tacna which is his legal domicile and where he has resided all his life, and in possession of his baptismal certificate; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on the 11th of July of this year, he was notified by the Police Agent, Vega, to leave the territory within 2 days, but that his employer, Guillermo Carlos, managed to secure an extension of 15 days, deponent taking passage on the steamer *Aysen* during the first days of August; that his family consists of 4 brothers, of whom two are under age, and who have all remained in Tacna; that he possessed furniture and household effects worth 1,000 pesos which he was compelled to hurriedly sell at auction, losing heavily thereby; that he estimates his losses to be 1,300 pesos, and the loss of his employment which brought him in 300 pesos a month; that the Chilean authorities have been steadily interning Peruvian citizens who were arbitrarily seized wherever



they might happen to be, and then deported south, where they were compelled to serve in the Chilean army; that he remembers the specific cases of Lorenzo Ponce, Cuellar, Vildoso, Gonzalez, Giron and many others whose names he does not, for the moment, recall; that it is a well known fact that numberless Peruvian citizens have been grossly abused by the police authorities, while under arrest, as happened with José Rueda, Luis Rondon, Acevedo and many others; that he was present when the Police Agent, Zurita, notified Sr. Guillermo Carlos to appear at police headquarters, where he was detained and flogged until he lost consciousness; that the wife of the victim appealed to the Judge of the Primary Court, Pedro Cuevas, lodging a complaint for the unheard of assault with this judicial functionary who, nevertheless, refused to entertain the complaint; that Guillermo Carlos in consequence of the mistreatment, was under the care of the Chilean physician, Marcos Avila, and was confined for 15 days to his bed; that deponent likewise, witnessed the looting of the store belonging to Bereta, the goods and merchandise thereof being taken in full view of the police authorities who countenanced these abuses and did nothing to prevent them, the merchandise being subsequently taken to the regiments garrisoned in the town, the greater portion going to that of Artillery; that he could testify that foreign business firms are required by the Chilean authorities to dismiss their Peruvian employees and substitute them with others of Chilean nationality; that witnesses to the above are Guillermo Carlos, Carlos Valdez, Alberto Valdez, Lorenzo Ponce, Leonidas Yanulaqui, Bereta, and in general, all those who have been expelled; that his present address is Lima, Torecilla Street, No. 749; that deponent attaches hereto his vaccination certificate issued by the Chilean authorities, and the passport furnished him by the Bolivian Consul.

(Signed)

CESAR C. SILES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 254

In Lima, December 26, 1923, Serafin Pilco Hualpa appeared, and after being duly sworn testified that: He is 37 years of age, a merchant, married, born in Tarata, legally domiciled in the City of Tarata where he has resided all his life; in possession of his baptismal certificate and inscribed in the Military Register of Peru; that towards the end of last October when he was visiting



the City of Tacna on business, he was detained and taken to police headquarters where the Prefect allowed him 6 days within which to leave the city, the further condition being exacted from him to take passage to Peru; that during this time he left for Tarata, his legal domicile, but on arriving there was compelled by the authorities to leave for the Provisional Frontier at Ticaco, being obliged, under these circumstances, to abandon his family and his business, to deponent's serious and irreparable damage; that his family consists of his wife and 3 children under age, and a niece, who have been expelled, likewise, by the Chilean authorities and are now in the Peruvian Town of Ticaco; that deponent is the owner of a house and 12 farms located in the city and surrounding countryside of Tarata, and of a dairy and cow- and sheep-breeding establishment, all of which he values at 150,000 pesos; that his losses amount to 10,000 pesos and his earnings which were 600 pesos a month; that he is aware that the Chilean authorities have been consistently interning Peruvian citizens who are usually sent to points south of Arica; that the police authorities of Tarata have adopted as a means of persecuting Peruvian citizens, to arrest them and to grossly ill-treat them while under detention, the victims being then expelled, as has occurred with representative citizens of that community such as Sr. Lucas Zegarra; that all business communication with the neighboring district, which is entirely Peruvian, is absolutely forbidden, as is any communication with the Frontier of Ticaco, all correspondence addressed to Peruvians being invariably violated; that all guarantees of safety have been withdrawn by the Chilean authorities while the car-bineers commit the most unheard-of outrages which, though well known, always go unpunished, the victims never daring to present any complaint; that his present address is Lima, Hotel Italia, No. 8; that deponent attaches hereunto, his identification card issued by the Chilean authorities.

(Signed)

SERAFIN PILCO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 255

In Lima, December 27, 1923, Carlos Liendo appeared, and after being duly sworn testified that: He is 27 years of age, unmarried, a clerk, born in Tacna which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military



Register of Peru; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that having been summoned by the police authorities to present himself for military service in the Chilean army he decided to leave the territory to avoid such service, leaving for Bolivia on the 8th of March, 1915; that his family consists of his parents and 2 brothers who were likewise expelled; that Peruvian citizens are actively pursued to compel them to serve in the Chilean army; that soldiers of the Chilean Garrison overrun private property, destroying and carrying away the harvests; that peaceful Peruvian citizens are continually molested and assaulted in the public thoroughfares with the connivance of Chilean officials; that witnesses to the above are Eudoro Vargas, Julio Giron, Luis and Manuel Zevallos, Julio Herrera, Jorge and Luis Sanchez; that his present residence is Lima, Nuñez Street, No. 225.

(Signed) C. LIENDO.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 256

In Lima, December 27, 1923, Guillermo E. Tregear appeared and after being duly sworn stated that: He is 52 years of age, a bookkeeper, married, born in Arica and legally domiciled in Arica where he has resided all his life, and in possession of his baptismal certificate; that on the 10th of April, 1920, he was arrested by Secret Service agents and taken to police headquarters where the Prefect, Eduardo Linsay, kept him incommunicado with no explanation for this arbitrary proceeding, although deponent declared himself to be a British subject, a statement which was not believed; that he was subsequently diligently searched, the sum of 3,000 "bolivianos," a gold watch and chain and some Chilean cash taken from him; that at 1 A. M. he was taken from the cell and conducted to the mouth of the River Sama which they reached at 5 P. M.; that his guards were the Sergeant Davila, and the Police Agent, Alberto Chamberlay, who notified him at that place in the name of the Governor and of the President of the Republic, that he was henceforward to be considered finally expelled from the territory and that in case he should ever return he would be shot forthwith, a flogging being then administered to him according to instructions; that his family consists of his wife and five children under age, who are all in Arica; that he owns a

house in Arica worth 12,000 pesos which is occupied by his family; that his losses amount to the money and valuables which were taken from him at the time of his arrest and the loss of his business, altogether 10,000 pesos, as well as his earnings which were 1200 pesos a month; that Peruvian citizens are arrested and taken to police headquarters where they are mercilessly flogged, as happened to a man named Zevallos, who was beaten until he lost consciousness; that he is aware of the abuses committed by the soldiery and the police authorities against the farmers and former market stand owners in Arica; that witnesses to the above are Miguel Tregear, Matos, Casimiro Salas and José Carlos; that his present address is Lima, Virreyna street, No. 432; that deponent annexes hereunto his birth certificate, his passport issued by the British Consul in Oruro (Bolivia), as well as his identification certificate issued by the British Consul in Iquique.

(Signed) GMO. E. TREGEAR.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 257

In Lima, December 27, 1923, Bernardo Liendo, appeared, and after being duly sworn testified that: He is 17 years of age, unmarried, a clerk, born in Tacna which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate and inscribed in the Civil Register of the Province; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on the 28th of August, last year, a police agent compelled him to appear at police headquarters to enroll him in the Chilean army, and to avoid this abuse, and after having expressed his disinclination to serve, he took passage on the steamer *Orita*, for the Peruvian Port of Callao; that his family consists of his parents and two brothers, who were all likewise expelled; that he is aware that the Chilean authorities have consistently deported Peruvian citizens to the south of Chile where they are compelled to serve in the Chilean army; that Peruvian citizens are continually molested in the public thoroughfares, even to the extent of physically assaulting them, while at other times they are taken prisoners and brought to police headquarters where they are subjected to the most inhuman treatment, and are sometimes even tortured; that witnesses to the above are Francisco, Jorge and Luis Sanchez, Humberto Rospigliosi, Alberto Quelopana, and Victor and Manuel



Reinoso; that his present address is Lima, Botoneros Arcade No. 224; deponent attaches hereunto his identification card and vaccination certificate issued by the Chilean authorities and the passport granted by the Bolivian Consul in Arica.

(Signed) B. LIENDO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 258

In Lima, December 27, 1923, Carlos Augusto Sarmiento appeared, and after being duly sworn testified that: He is 15 years of age, unmarried, a student, born in Tacna and legally domiciled in Arica for the last 5 years, but previous to that in Tacna, and in possession of his baptismal certificate; that upon his father, Arturo Sarmiento, having been notified to leave the Port of Arica, owing to his Peruvian nationality, and as deponent was continually abused and persecuted in the public schools which he attended, so as to secure his acceptance of Chilean nationality which was repugnant to his feelings as a Peruvian citizen, he was obliged to follow his father from the Port of Arica in January, 1919, taking passage on the steamer *Cachapoal* for the Port of Mollendo, and ultimately reaching Lima; that his family consists of his parents and 8 brothers; that the household furnishings and personal effects of his family were completely destroyed by the Chilean soldiery and the members of the Patriotic League upon the occasion of one of the most riotous demonstrations which have ever taken place in the town and against Peruvian citizens, and which culminated in the attack of various Peruvian residences; that in the public school which he attended, he was always required to state he was a Chilean, and when he did not do so he was chastised by the professor; that witnesses to the above are Emilio Arias, Alberto Suarez, Oscar Tellez Pinto, Eduardo Arana; that his present address is Lima, Espirito Santo Street No. 517; that deponent attaches hereto his savings bank book and the receipt for the payment of his policy in the New York Life Insurance Company, issued by the Chilean authorities.

(Signed) CARLOS A. SARMIENTO E.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 259

In Lima, December 28, 1923, R. Pinto appeared, and after being duly sworn testified that: He is 39 years of age, a farmer, married, born in Tacna, legally domiciled first in Tacna and subsequently in Arica until his expulsion, and inscribed in the Military Register

of Peru; that in 1901 while employed as a clerk at the Court of Appeals of Tacna, and when only 17 years of age, he was dismissed on account of his nationality; that in July of that same year on the anniversary of Peruvian Independence, deponent, in company with other young men among whom he remembers Guillermo Martinez, Romulo Diaz, Leonidas Vargas and Cesar Rueda, was singing the Hymn to Tacna, the police ordered them to stop singing, since which time they were signalled out for special persecutions at the hands of the authorities, which eventually compelled them to leave the territory and offer themselves for service in the Peruvian army, deponent being quartered with the Seventh Cavalry Regiment garrisoned in Moquegua; that after having effected his military service, he settled in the Valley of Azapa in the Province of Arica, where he was notified by a Secret Service Agent whose name he does not recall, to leave the territory according to instructions of the Governor, Arteaga, an order which deponent carried out by leaving for the North of Arica; that his family consists of his wife, 3 children under age, and 2 followers who were likewise obliged to leave with deponent; that he possesses a house in the City of Tacna assessed at 20,000 pesos, which is at present uncared for; that his violent expulsion deprived him of a lucrative business which he had established in the Valley of Azapa and which brought him in from 15,000 to 20,000 pesos a year; that the persecution carried into effect against Peruvians takes innumerable forms, such as depriving them of the necessary water for their crops so as to compel farmers to sell or abandon their holdings, the conscripting of young Peruvian citizens to serve in the Chilean army, the continual attacks upon private residences and business establishments belonging to Peruvian citizens at the hands of the Patriotic League whose membership consists of the soldiery and public officials, the assaults against Peruvian citizens in the public thoroughfares, their arrest and detention at police headquarters where they are inhumanly treated, as occurred to Messrs. Carlos Cespedes and N. Vargas, who were left for dead after having been flogged with iron rods by the soldiery, the invasion by the soldiery of the farms in the surrounding country and the consequent destruction and theft of the crops and cattle, the absence of all consideration shown to the complaints of the sufferers by the police and judicial authorities, as happened in the case of Sebastian Felix who was attacked on his farm by the soldiers, and murdered by being eviscerated, the defenseless women being violated by the attackers;



that witnesses to the above are Cesar and Oscar Tellez, Eduardo Martinez, Antonio Pinto, Guillermo Tregear, Alfredo Vaccaro, Mariano and Guillermo Carlos and Casimiro Saras; that his present residence is Lima, Nueva Street, No. 315.

(Signed) R. PINTO.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 260

In Lima, December 28, 1923, Arturo Sarmiento Ara appeared, and after being duly sworn testified that: He is 51 years of age, a bookkeeper, married, born in Tacna, legally domiciled in Tacna all his life and in Arica for the seven years preceding his expulsion; that the Chilean authorities wished to compel deponent to register in the Chilean Military Register but that he refused; that he is inscribed in the Peruvian Military Register; that on the 13th of December, 1918, he was notified by members of the Patriotic League to leave the country on the following day and to sail on the steamer *Mantaro* which touched at the Port of Arica; that Sr. Americo Puccio, President of the firm of Canepa Brothers and Company, obtained from the Chilean authorities an extension to enable deponent to make the necessary arrangements for his departure, and upon such extension expiring, which it did on the 6th of January, 1919, deponent was obliged to take passage on the steamer *Cachapoal* leaving for the Port of Mollendo, subsequently continuing on to Lima; that his family consists of his wife and 9 children who were all compelled to leave the city of Tacna likewise, since they could not live apart from deponent who was the head of the family; that his household effects, furniture, and personal belongings were dispersed or destroyed by the Chilean mobs during one of the frequent cases of assaults on the residences of Peruvian citizens which continually take place, several residences belonging to Peruvian citizens having been assaulted and wrecked on that same occasion; that his losses amount to 8,000 pesos, and his earnings which were 900 pesos a month; that the Chilean authorities have consistently persecuted all citizens of Peruvian nationality, even the humble boatmen and port laborers of Arica having been prevented from plying their trades and supplanted by men of Chilean nationality imported by the authorities for that very purpose, the same having occurred with the owners of the market stands who have had their licenses withdrawn for no reason whatever, except that of their nationality,

and their means of livelihood given over to Chilean importees; that young Peruvian citizens are constantly pursued and harried by the authorities to compel them to effect their military service in the army of the enemies of their country; that witnesses to the above are Pedro Pescetto, Enrique Ward, José Rueda, Leonidas Yanulaqui and many others whose names he cannot, for the moment, recall; that his present address is Lima, Medalla Street, No. 151. Deponent attaches hereto a certificate issued by his former employers, Messrs. Canepa Brothers and Company.

(Signed) A. SARMIENTO.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 261

In Lima, January 5, 1924, Augusto Koch P. appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a soldier, born in Tacna where he has resided all his life, inscribed in the Civil Register of the Province and in possession of his baptismal certificate and likewise inscribed in the Peruvian Military Register; that in the Chilean public schools of the City of Tacna he was informed that, to be able to continue his studies, he would have to become a Chilean citizen, and aware that endeavors were being made to inscribe him in the Chilean Military Register against his wish, his parents decided to send him out of the country to Lima; that his family consists of his parents and 3 brothers under age, who have all remained in Tacna excepting his father and his brother Richard; that the measures of oppression instituted by the Chilean authorities consist in the conscription of young Peruvian citizens into the Chilean army; in the continual holding of disorderly meetings of the Patriotic League which invariably degenerate into attacks on private property belonging to Peruvians whose lives are in continual danger; in the absolute want of all guarantees of public safety for persons of this nationality who are afraid to venture abroad in the public streets except in cases of absolute necessity, as well as the comparatively minor offense of violating the correspondence addressed to Peruvian citizens; that witnesses to the above are Ernesto Barrera, Guillermo Cerpa, and all the residents of that time; that his present address is Chorrillos.

(Signed) AUGUSTO KOCH P.

(Signed) GALLAGHER Y CANAVAL.



AFFIDAVIT No. 262

In Lima, January 5, 1924, Ernesto Barreda y Rios appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, born in Tacna which is his legal domicile, in possession of his baptismal certificate and inscribed in the Peruvian Military Register; that towards the end of 1918, the Principal of the Tacna Public school, Luis Zuñiga, required of deponent the adoption of Chilean nationality as a condition for being allowed to continue his studies in that institution, in addition to having borne for a long time, all manner of petty persecution owing to his Peruvian nationality, among which can be counted that of compelling Peruvian students to swear allegiance to the Chilean flag as though they belonged to that country; that owing to the above persecution, as well as owing to the abuses suffered by deponent's family, they decided to leave for Lima in April, 1921; that his family consists of his parents and five brothers who are all at present in Lima, owing to their expulsion; that witnesses to the above are Jimenez Bocanegra, Nalvarte, Carlos Villena, Eduardo Jara Almonte and many others; that his present address is Chorrillos.

(Signed) E. BARREDA RIOS.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 263

In Lima, January 5, 1924, José Morales Liendo appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, a soldier, born in Tacna and legally domiciled in Tacna, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that in the month of October, 1920, being insistently required by the Chilean authorities to effect his military service in the Chilean army, notwithstanding his Peruvian nationality, deponent was compelled to leave Tacna, sailing on the steamer *Chile* from the Port of Arica to that of Callao; that his family consists of his mother and 6 brothers who are all in this city with the exception of his mother and a sister who have remained in Tacna; that deponent's damages consist in the loss of his employment, and his earnings which were 180 pesos a month; that the Chilean authorities, with the active cooperation of the officers and the soldiers of the Garrison, constantly held meetings for the purpose of deciding the specific assault which

would be committed against the persons and property of Peruvian citizens; that the Patriotic League which incited its members to commit these and other abuses likewise notified all business establishments to dismiss their Peruvian employees and to substitute them by others of Chilean nationality who were brought from outlying Chilean provinces to Tacna and Arica for that specific purpose; that all guarantees of safety for life and property were withdrawn as far as regards the Peruvian portion of the population, who were not even allowed to live and pursue their usual avocations with any degree of peace; that witnesses to the above are Carlos and Zenon Soto, Ernesto Barreda, Julio Forero, Justo Marin and numerous other departees; that his present address is Chorrillos.

(Signed)	J. E. MORALES L.
(Signed)	GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 264

In Lima, January 5, 1924, Jorge Zapata appeared, and after being duly sworn stated that: He is 21 years of age, unmarried, a soldier, born in Tarata which is his legal residence, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that in the month of June, 1920, he was actively sought for the purpose of being conscripted into the Chilean army, wherefore deponent was compelled to leave the territory and come to this city by way of the Provisional Frontier at Ticaco; that his family consists of his mother and 4 brothers who have all been expelled by the Chilean authorities; that deponent's damages consist in the loss of his occupation, and his earnings which were 160 pesos a month, that the police authorities and the public officials in the City of Tarata, who are the only persons of Chilean nationality therein, ceaselessly persecuted the Peruvian population, imposing arbitrary fines and imprisoning them with no just motive and, in addition, committing all manner of unspeakable abuses; that witnesses to the above are Amador Cornejo, Juan Humberto Aguirre and all those recently expelled from the City of Tarata; that his present address is Chorrillos.

(Signed)	JORGE ZAPATA.
(Signed)	GALLAGHER Y CANAVAL.



AFFIDAVIT No. 265

In Lima, January 5, 1924, Guillermo Cerpa appeared, and after having been duly sworn testified that: He is 18 years of age, unmarried, born in Tacna which is his legal residence, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that towards the end of 1918, upon the conclusion of the annual examinations, the Principal of the Tacna High School, Luis Zuñiga, notified deponent as well as other pupils of that institution, that since they declined to adopt Chilean nationality, they would not be allowed to continue their studies next year, owing to which, since deponent could not change his nationality, he prevailed upon his father Enrique Cerpa, to send him to Lima, sailing on the third of April, 1919; that his family consists of his parents and 3 brothers of whom one has been expelled and the other two have remained in Tacna; that witnesses to the above are Manuel Jimenez Bocanegra, Ernesto Barrera, Nalvarte and in general, most of the inhabitants of Tacna; that his present address is Chorrillos.

(Signed)

GMO. CERPA FIGUEROA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 266

In Lima, January 5, 1924, Teodoro Bocanegra appeared, and after being duly sworn testified that: He is 18 years of age, unmarried, soldier, born in Ticaco and legally domiciled in the City of Tarata, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that on the 5th of January, 1923, he was taken prisoner in the City of Tarata by soldiers from the Chilean army called "Carbineers," and taken to the City of Tacna where he was detained in the Military Barracks for one day and then transferred to police headquarters where he remained a day and a half, during which time he was cruelly abused and then made to sign a document, the contents of which were not revealed to deponent, but which he presumes to be favorable to the interests of Chile, since once he had signed the same he was taken by police agents and the carbineer from the City of Tacna to the Peruvian Frontier of Sama, whence he continued on to Lima; that his family consists of his parents and 2 sisters who are still in Tacna; that the damages suffered by deponent consist in the loss of his occupation and his earnings

which were 120 pesos a month; that deponent is aware that the Chilean authorities have deported numerous Peruvian citizens, though where these are eventually sent he cannot state; that in Tarata and in the surrounding districts every manner of abuse is directed against the Peruvian population by the Chilean soldiers; that the public officials and police authorities, who were the only aliens in the district, carried out numerous vexatious measures of persecution against both the persons and property of Peruvian citizens, who are granted no guarantees of safety of any kind; that witnesses to the above are Jorge Zapata, Arturo Zapata, Juan Humberto Aguirre and many others; that his present address is Chorrillos.

(Signed) T. A. BOCANEGRA.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 267

In Lima, January 5, 1924, Ricardo Albarracin appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, soldier, born in Tacna which is his legal residence and where he has resided all his life, in possession of his baptismal certificate and inscribed in the Civil Register of the Province and in the Military Register of Peru; that in January of 1920, he was arrested by the Recruiting Commissioner of Chile, who conscripted all males irrespective of their nationality or age, for the purpose of compelling them to serve in the Chilean army; that deponent was detained with the Rancagua Regiment in Tacna, notwithstanding his protest owing to his Peruvian nationality; that 2 days later he was able to escape, and remained in hiding for a considerable number of days during which he was actively sought by the authorities, but eventually succeeded in making his way by land and on foot to the Peruvian Frontier of Sama, whence he eventually reached Lima; that his family consists of his mother and a brother, the latter likewise expelled by the Chilean authorities; that the damage suffered consists in the loss of his occupation and his earnings which were 140 pesos a month; that the Chilean authorities have consistently been deporting Peruvian citizens, but where they are interned deponent is unable to specify; that Peruvians are commonly assaulted in the public thoroughfares, at other times in their domiciles which are invaded by Chilean mobs, who then commit the most unheard-of outrages; that farmers are com-



pelled to suffer the losses of their crops and the abstraction of their cattle and make no complaint which, besides being unheeded by the authorities, would have no other effect than of intensifying the enmity of their persecutors; that witnesses to the above are Justo Marin, Manuel Liendo, Daniel Crespo and numerous other deportees; that his present address is Chorrillos.

(Signed) R. ALBARRACIN.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 268

In Lima, January 7, 1924, Cecilio Zacarias Pilco Romero appeared, and after being duly sworn testified that: He is 18 years of age, unmarried, a soldier, born in Tarata and legally domiciled in the City of Tarata in Chilean occupation, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru; that deponent was arrested in the City of Tarata by the Chilean car-bineers, to compel him to serve in the Chilean army, and after having been grossly abused by the soldiery, his family succeeded in obtaining, that instead of being sent to Tacna the authorities would expel him from the Frontier of Ticaco, whence he eventually reached Lima and presented himself voluntarily for service in the Peruvian army; that his family consists of his parents and 2 brothers, one at present in Ticaco, after having been expelled by the Chilean authorities; that he is aware that the Chilean authorities have expelled large numbers of Peruvian citizens, though where these have been interned deponent is unable to say; that among the interneers is a cousin of deponent named Saturno Pilco, while he remembers in addition, Cruz Mendoza, Andres Huisa, Ruperto Copaja and many others; that the public officials and the authorities of Chile in Tarata, who are the only aliens residing in the district, commit all manner of abuses against the Peruvian population, assaulting them, arbitrarily arresting and imposing fines upon them, and withholding every guarantee of safety for themselves and their property; that witnesses to the above are Jorge Zapata, Artidoro Bocanegra, Ticona and all the residents of Tarata; that his present address is Chorrillos.

(Signed) CECILIO PILCO ROMERO.

(Signed) GALLAGHER Y CANAVAL.

AFFIDAVIT No. 269

In Lima, January 7, 1924, Juan Carpio Claros appeared, and after being duly sworn testified that: He is 23 years of age, unmarried, a soldier, born in Tacna and legally domiciled in Arica since 1914, and previous to that in the City of Tacna, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru; that in July, 1921, at the time being in his fourth year at the Commercial Institute of Arica, he was required, as a condition for being allowed to continue his course, to adopt the Chilean nationality, at which he demurred, owing to being a Peruvian; that he was subsequently required to serve in the Chilean army and in view of this contingency and fearful of being conscripted by force, he decided to leave the Port of Arica and took passage on the steamer *Aysen* for Callao; that his family consists of his mother and a brother, the latter of whom has been expelled; that deponent is aware that the Chilean authorities had steadily expelled Peruvians to divers localities in Chile, among whom he can mention Humberto, Esteban and Julio Giron, and Pedro Fernandez; that deponent witnessed the meetings organized by the Chilean Patriotic League whose members were the public officials and the soldiers of the Garrison, and which usually degenerated into attacks against the persons and property of Peruvian citizens; that he has likewise witnessed the looting of the business establishments belonging to Beretta, Juan Soto Laos, Andrade, Janu-laque, and likewise the destruction of the printing establishment of Enrique Ward and the contents of the latter's residence; that witnesses to the above are Gregorio Nacarino, Lorenzo Carrasco, Enrique Ward and Juan José Vidal; that his present address is Chorrillos.

(Signed)

JUAN M. CARPIO C.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 270

In Lima, January 7, 1924, Juan de Dios C. Flores M. appeared, and after being duly sworn testified that: He is 20 years of age, unmarried, a soldier, born in Tacna which is his legal domicile, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru; that during the month of July, 1923, being actively pursued by



the Chilean authorities for the purpose of being enrolled in the Chilean army, notwithstanding his Peruvian nationality, he was compelled to leave the City of Tacna so as not to suffer this disgrace, having undertaken the journey on foot, to the Peruvian Frontier of Sama, and eventually proceeded on to Lima; that his family consists of his mother and 8 brothers of whom 6 are under age and are still in Tacna; that in common with his brothers, he owns a farm left them by their father, and which is worth 4,000 pesos; that deponent's damages consist in the loss of his occupation, and his earnings which were 140 pesos a month; that the authorities endeavored to have him sign a document expressive of his favorable opinion respecting the continuance of Chilean dominion in the Irredentist Provinces, but that he refused; that these same authorities have interned considerable numbers of Peruvian citizens, among whom he can mention Fernando Osnay and many others whose names he does not know because they were brought in from the outlying districts; that officers and soldiers of the Chilean Garrison continually provoke and ill-treat Peruvian citizens in the public streets, taking advantage of the hours of darkness in which to perpetrate these abuses, usually with either the active cooperation, or at least the connivance, of the police authorities; that all trades formerly pursued by Peruvian citizens have been arbitrarily taken away from these, and now can only be carried on by persons of Chilean nationality; that witnesses to the above are Justo Marin, Daniel Crespo, Julio Forero and many others; that his present address is Chorrillos.

(Signed) JUAN DE DIOS C. FLORES M.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 271

In Lima, January 7, 1924, Abraham Sanchez appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a soldier, born in Tacna and legally domiciled in the City of Tacna, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru; that after having endured countless and unceasing abuses and persecution in the Chilean school, whose Principal is Eulogio Flores, on account of his Peruvian nationality, and having been, in addition, required to adopt Chilean citizenship as a condition for being allowed to continue his studies in that institution, de-

ponent was compelled to leave Tacna in March of 1921 and proceed to Lima; that his family consists of 3 brothers who are still in Tacna; that Chilean authorities have interned large numbers of Peruvians; that the Peruvian population of Tacna, in view of the continual abuses suffered by them, have no other alternative, in case they had the means, but that of expatriating themselves so as to escape the unbearable series of persecutions to which they were subjected; that witnesses to the above are Alejandro Espejo, Julio Forero, Justo Marin, Daniel Crespo and many others; that his present residence is Chorrillos.

(Signed) ABRAHAM SANCHEZ.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 272

In Lima, January 7, 1924, José Ticona appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a soldier, born in Ticaco and legally domiciled in Tacna since 1912, and previous to that in the City of Tarata, and inscribed in the Military Register of Peru; that at the end of 1920 he was required to serve in the Chilean army, no account being taken of the reason for his refusal, to the effect that he is a Peruvian citizen, and as he was being actively pursued for this reason, and the only means available to escape this contingency being to leave the territory, deponent proceeded to Tarata and from there to the Peruvian Frontier, whence he eventually reached Lima and voluntarily presented himself for service in the Peruvian army; that his family consists of his parents and a sister, who have been expelled by the Chilean authorities; that the damage suffered by deponent consists in the loss of his occupation and his earnings which brought him in 90 pesos a month, and that the Chilean authorities had systematically deported Peruvian citizens, but where these have been sent deponent is unable to say; that the Chilean authorities, and the soldiers and officers of the Garrison commit all manner of abuses against the property and persons of Peruvian residents for whom life has become impossible, owing to the withdrawal of every guarantee of safety from persons of this nationality; that witnesses to the above are Humberto Aguirre, José Morales, Jorge Zapata, and Artidoro Bocanegra; that his present residence is Chorrillos.

(Signed) JOSÉ F. TICONA V.

(Signed) GALLAGHER Y CANAVAL.



### AFFIDAVIT No. 273

In Lima, January 7, 1924, Elias Sotillo appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, a soldier, born in Tacna and legally domiciled in the City of Tacna, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru; that in December of 1920, being actively pursued by the authorities for the purpose of compelling him to serve in the Chilean army, although the fact of his Peruvian nationality was well known, and was, in addition, declared by deponent, and fully aware that no other recourse was left open to him to avoid this indignity except to leave the territory, deponent decided upon this latter course and proceeded to the Peruvian Frontier of Sama, whence he eventually reached Lima; that his family consists of his father and four brothers; that the Chilean Patriotic League, composed of officers and soldiers in the Chilean army and even high administrative officers, organized meetings for the purpose of securing the expulsion of Peruvian citizens and of deciding which of these were to be the victims of their special persecution; that all guarantees of safety as granted by law were withdrawn from the persons of this nationality, all the more so as the public officials themselves, and the police, were participants in the illegal and arbitrary persecutions; that witnesses to the above are Justo Marin, Daniel Crespo, Amador Cornejo and many others; that his present residence is Chorrillos.

(Signed) VICTOR ELIAS SOTILLO.

(Signed) GALLAGHER Y CANAVAL.

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### AFFIDAVIT No. 274

In Lima, January 7, 1924, Leopoldo A. Jarrin appeared, and after being duly sworn testified that: He is 25 years of age, unmarried, a soldier, born in the City of Tacna which is his legal domicile, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru; that in the month of March, 1914, upon being summoned by the Chilean authorities as a delinquent under the Law of Recruits and Substitutes, notwithstanding the fact of his Peruvian nationality, and noting that many of his fellow-countrymen were being violently conscripted into the Chilean army, and so as to avoid the indignity to which he would have been exposed

in case he continued to remain in Tacna, deponent decided to leave the territory, which he effectually did in the said month of March, taking passage on the German steamer *Nitokris* for the Port of Callao; that his family consists of 3 brothers, one under age, who are at present in Lima after having been expelled by the Chilean authorities; that the method of persecution adopted by the Chilean authorities to secure the evacuation of the territory by the denizens htereof, consists in systematic attacks against their persons and property so as to make life unbearable for them, thus eventually securing the success of their endeavors; that deponent witnessed the destruction of the printing establishments of "La Voz del Sur," "El Tacora" and of "El Morro de Arica"; the expulsion of the Peruvian ecclesiastics and the attack against, and destruction of, the Peruvian Social Club of Tacna, all of which abuses were perpetrated by public officials and the soldiers and officers of the Garrison, as well as by members of the City Police Force; that witnesses to the above are Justo Marin, Alberto Forero, Emilio Auza, Carlos Pradel, Carlos Tellez, Anibal Marchand and Juan Saona; that his present address is Chorrillos; that deponent further attaches to the present affidavit his school record for the sixth year in the High School of Tacna, and three certificates from the same, which all testify to his unvarying good conduct and diligence in his studies.

(Signed)

LEOPOLDO JARRIN.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 275

In Lima, January 8, 1924, Domingo Morales Flores appeared, and after being duly sworn testified that: He is 18 years of age, unmarried, a soldier, born in Tacna which is his legal domicile, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru; that in the month of June, last, together with other fellow-countrymen, deponent was detained at police headquarters for the purpose of compelling him to serve in the Chilean army; that upon securing permission to take leave of his family he took advantage of this fact to immediately flee from the territory, overland, to the Peruvian Frontier of Sama, and after many hardships was eventually able to reach Lima; that his family consists of his mother and 5



brothers, of whom one is of age, all of whom have remained in Tacna with the exception of the latter who is now in Lima, having likewise been expelled by the Chilean authorities; that in common with his brothers, deponent has inherited from his deceased father a farm and a house which are valued at 18,000 pesos; that the Chilean authorities have systematically deported Peruvian citizens among whom he can mention Miguel Reynoso, Victor Reynoso, Pedro Ramos y Molina and many others; that the soldiers of the army and public officials continually provoke and mistreat Peruvian citizens in the streets and public thoroughfares, and even raid their homes and take possession of whatever they find therein which happens to strike their fancy; that the correspondence addressed to Peruvian citizens is either detained or violated in the Tacna Post Office, while the principals of the schools endeavor to compel the pupils thereof to swear allegiance to Chile, making this a condition for allowing them to continue their education; that witnesses to the above are Luis Duvaile, Luis Cohaila, Juan Flores and in general, all the recent deportees who have reached Lima; that his present address is Chorrillos; deponent further attaches to the present affidavit, his vaccination certificate and identification card issued by the Chilean authorities.

(Signed) DOMINGO MORALES.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 276

In Lima, January 8, 1924, Victor Cusicanqui appeared, and after being duly sworn testified that: He is 18 years of age, unmarried, a soldier, born in Tacna and legally domiciled in the City of Tacna, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru; that during the month of July, last, being actively pursued by the authorities for the purpose of compelling him to effect his military service in the Chilean army, notwithstanding his Peruvian nationality, and so as to avoid being forcibly conscripted, he decided to make for the Peruvian Frontier at Sama, whence he eventually reached Lima; that his family consists of his mother and a sister who are still in Tacna; that in company with his said mother, he owns a farm and house worth 5,000 pesos; that deponent estimates his losses to be 800 pesos, due to the loss of

his position which brought him in 70 pesos a month; that it is a fact that the Chilean authorities and public officials provoke and ill-treat Peruvian citizens with no regard for the sex or age, and cause them intense suffering and material loss; that witnesses to the above are Justo Marin, Daniel Crespo, Lorenzo Ostolaza and in general, all the recent deportees who have arrived in Tacna; that his present address is Chorrillos.

(Signed) VICTOR G. CUSICANQUI.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 277

In Lima, January 8, 1924, Luis Cohaila Felix appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, a soldier, born in Tacna, inscribed in the Civil Register of the Province and in possession of his baptismal certificate, and inscribed in the Military Register of Peru; that in the month of June last, he was summoned to appear at police headquarters in Tacna as a delinquent under the Law of Recruits and Substitutes, being, in addition, required to adopt Chilean nationality and to sign a document to that effect, and that upon stating that he was of Peruvian nationality, and refusing to comply with the above requirements, he was threatened with expulsion and allowed 15 days within which to leave the City of Tacna, but that before the expiration of this time, and in fear of the forcible conscription which awaited him, decided to leave and proceeded to the Peruvian Frontier of Sama and eventually reached Lima; that his family consists of his father and 2 brothers under age, who are still in Tacna; that the Chilean authorities have systematically interned large numbers of Peruvians, among who he can mention Victor and Miguel Reynoso, Manual Ramos and Christiniano Rejas; that soldiers of the Chilean army and public officials, more especially those of the police force, assault Peruvians continually and raid their homes, while there is no guarantee of safety for Peruvians who refuse to accept Chilean nationality, who are, as a consequence, continually persecuted until they decide to leave the territory; that witnesses to the above are Juan Flores, Lorenzo Ostolaza, Daniel Crespo and Juan Dias; that his present address is Chorrillos.

(Signed) LUIS E. COHAILA F.

(Signed) GALLAGHER Y CANAVAL.



AFFIDAVIT No. 278

In Lima, January 8, 1924, Luis E. Vildoso Rejas appeared, and after being duly sworn testified that: He is 28 years of age, unmarried, a soldier, born in Tacna and legally domiciled in the City of Tacna, in possession of his baptismal certificate, duly inscribed in the Civil Register of the Province and in the Military Register of Peru; that towards the end of July, 1919, the Police Commissioner of Tacna, Enrique Vargas, complying with an order of the Prefect, Florentino Herrera, notified him that he would have to leave the city within 15 days, and as deponent had not been able to leave within the stipulated time, he was again notified and threatened, that if he did not leave voluntarily he would be violently deported to the Peruvian Frontier of Sama, and that, aware of the abuses of all kinds which had been decreed against persons of Peruvian nationality, most of which deponent had personally witnessed, he determined to take passage on the steamer *Chile* for Callao; that his family consists of his parents and 3 brothers who have likewise been expelled by the Chilean authorities; that the damage suffered by deponent consists in the loss of his business which he values at 8,000 pesos, and his earnings which were 400 pesos a month; that deponent can testify to the frequent meetings organized by the Chilean Patriotic League whose members are the public officials and officers, and soldiers of the Chilean Garrison, for the purpose of attacking and looting the property of those Peruvians whose expulsion it had decided upon; that soldiers of the army continually overran the rural communities where they committed every kind of depredation and even crime, as instanced by the murder of Sebastian Felix; that continual pressure was exerted against the Peruvian pupils in the public schools of Chile by the directors thereof, to induce them to change their nationality, while it is a well-known fact that it was well-nigh impossible for any Peruvian citizen to go abroad on the public streets without running the risk of being either molested, abused or physically assaulted, for no other reason than that of their nationality; that witnesses to the above are Adrian Berrios, Pedro Rejas, Manuel Espejo and Alejandro Garibaldi; that his present address is Chorrillos. Deponent further attaches hereto the counter-foil of his ticket on the steamer *Chile* of the Pacific Steam Navigation Company No. 15861.

(Signed)                      LUIS E. VILDOSO R.

(Signed)                      GALLAGHER Y CANAVAL.

AFFIDAVIT No. 279

In Lima, January 8, 1924, Armando Zenon Albarracin appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a soldier, born in Tacna and legally domiciled in the city of that name, in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru; that deponent was a pupil at the Tacna public school where he was required, as a condition for allowing him to continue his education, to adopt Chilean nationality but that deponent refused; that among other humiliating actions which were forced upon pupils of his nationality, was that of swearing allegiance to the flag of Chile and submission to that same country; that persecutions of this and more serious order, eventually decided deponent to leave the City of Tacna and proceed to Lima, which he in fact did in 1918; that his family consists of his mother and 4 brothers who were all expelled by the Chilean authorities; that he possesses in common with his family, a farm and a house valued at 40,000 pesos; that it is a well known fact that Peruvian citizens are persecuted in their daily lives, and their property subject to attack and dispossession at any time through the activities of the so-called Chilean Patriotic League, which is composed of public officials and the soldiers of the Garri-son, who are allowed by the police authorities every latitude whenever the persons or property of Peruvians are concerned; that witnesses to the above are Juan Auza, Emilio Auza, Julio Forero and Guillermo MacLean; that his present address is Chorrillos.

(Signed) Z. ALBARRACIN ANGULO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 280

In Lima, January 9, 1924, Luis Duvaile appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, a business man, born in Tacna which is his legal domicile, and in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru; that on the 30th of January, 1922, the Prefect of Police of Tacna, Florentino Herrera, notified him that, owing to the Peruvian nationality of deponent, he would have to leave the City of Tacna within 8 days; that before the expiration of this



time limit, deponent, together with various fellow-countrymen of his, among whom were Alfredo Vaccaro, Francisco Gomez, Juan Alarco, Rosario Bustos, and many others, took passage on the steamer *Guatemala* for the Peruvian Port of Mollendo, whence they eventually proceeded to Callao; that his family consists of his mother and 2 brothers under age who are still in the City of Tacna; that deponent was the proprietor of a grocery store, with a capital of 18,000 pesos, which he was compelled to sell at considerable loss; that deponent's damage consists in the loss of his business and his earnings which were 400 pesos a month; that the Chilean authorities extracted from deponent under threat of violence, a declaration to the effect that he considered it preferable for the Provinces to continue under Chilean occupation, a declaration which he was compelled to sign; that it is true that the Chilean authorities have interned large numbers of Peruvian citizens in the different Chilean provinces, among whom he can mention Wenceslao Zavala, Efrain Valdez and Carlos Molina; that meetings were continually taking place to decide upon the expulsion of, and attacks against, the persons and property of Peruvian citizens, at which time the grossest abuses were committed, such as the murder of Juan Queano by the Chilean soldiery in the countryside of Tacna and which was witnessed by deponent, as well as the frequent invasions, by this same soldiery, of the rural communities around Tacna, whose proprietors are continually mulcted in their harvests and cattle; that witnesses to the above are Julio Diaz, Juan Alarco, Francisco Gomez, Alfredo Vaccaro and Guillermo Carlos; that his present address is Chorrillos.

(Signed)

LUIS DUVAILE.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 281

In Lima, January 8, 1924, Manuel Jimenez Bocanegra appeared, and after being duly sworn testified that: He is 23 years of age, unmarried, a soldier, born in Tacna which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate, inscribed in the Civil Register of the province and in the Military Register of Peru; that in the month of February, 1920, he was confined in the Barracks of the Rancagua Regiment for the purpose of effecting his military service in the Chilean army,

but that he managed to secure his release through the efforts made by his family to that effect; that in the month of March, a second attempt having been made to detain him for that purpose, and so as to avoid this continual persecution by the authorities, and being aware, in addition, that he could not escape through the Port of Arica, owing to his being listed as a delinquent under the Law of Recruits and Substitutes, he decided to make for the Peruvian Provisional Frontier at Sama, going overland, which he effectually did, and eventually reached Lima; that his family consists of his grandmother and 4 brothers under age, who are all at present in Lima, having been compelled to leave their birthplace owing to the continual and unceasing hostilities experienced by them; that the damage suffered by deponent consists in the loss of his employment, and his earnings which were 180 pesos a month; that the authorities of the Port of Arica endeavored, in 1918, to extort from deponent a declaration to the effect that it was his opinion that the Provinces should continue under Chilean occupation, but that deponent, as a Peruvian citizen, declined to subscribe to any such opinion; that it is likewise true the Chilean authorities have deported large numbers of Peruvian citizens, though he is not aware of the places where these have been interned, recalling among such internes the Santiago Parodi, a fellow-student and friend of deponent's; that the continual meetings held by Chilean citizens for the purpose of deciding upon what homes they would attack and which persons should be expelled, caused widespread terror and perturbation in the minds of the Peruvian residents who, in addition, hardly dared to go about their business in the public streets for fear of being assaulted and suffering bodily injury, while no redress against such persecutions could be expected from the police or judicial authorities who were, instead, active participants in all of these numerous abuses; that witnesses to the above are Ernesto Barreda, Carlos Nalvarte and Augusto Cox; that his present address is Chorrillos.

(Signed) M. JIMENEZ B.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 282

In Lima, January 9, 1924, Manuel Ignacio Valasquez appeared, and after being duly sworn testified that: He is 58 years of age, married, stonecutter by trade, born in Tacna, legally domiciled



in Arica since 1888, and previous to that in the City of Tacna and in possession of his baptismal certificate; that on the 12th of December, last year, the Sub-Inspector of Police of the Port of Arica, Quiroz, notified him to immediately leave the territory, failing which he would be interned, and that on the 17th of the above-mentioned month, and owing to the order of expulsion in question, he took passage on the steamer *Oroya* for Mollendo, whence he eventually reached Lima; that his family consists of his wife and 3 children under age, who are still in Arica, but who will shortly join deponent in Lima, owing to the persecution to which they are continually exposed; that the damage suffered by deponent consists in the loss of his employment which brought him in around 100 pesos a week; that the Chilean authorities have not ceased to intern Peruvian citizens to the south of Arica, among whom he can mention Manuel Corbacho, Pascual Cornejo, Angel Blas, Armando Davila, Abel and Gabriel Cornejo; that Peruvian citizens were being continually arrested for no apparent reason, and exposed to the grossest abuse while in custody, being even sometimes flogged, as happened to Guillermo Carlos and Luis Rondon; that the police agents overran the outlying farms, especially those of Azapa, Socoroma and Belen, for the purpose of seizing the crops and cattle; that witnesses to the above are Luis Rondon, Enrique and Ernesto Cano, Pedro Acevedo and Juan Carpio; that his present address is Lima, Santa Ana Street; deponent further attaches hereto his vaccination certificate issued by the Chilean authorities.

(Signed) MANUEL VELASQUEZ.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 283

In Lima, January 9, 1924, Godofredo Ibarra Pradel appeared, and after being duly sworn testified that: He is 26 years of age, unmarried, a bookkeeper, born in Tacna and domiciled in Arica since 1911, and previous to that in the City of Tacna, and in possession of his baptismal certificate; that in the month of April, 1920, owing to the general measures of persecution which were indiscriminately instituted against Peruvians, deponent, having suffered amongst others, the consequences of this persecution, was compelled to leave the Port of Arica, sailing for Callao on the steamer *Aysen*; that his family consists of his mother and four brothers who were also compelled to emigrate,

owing to the persecution directed against them by the Chilean authorities ; that in common with his family, he owns two houses in the City of Tacna worth 20,000 "soles" (\$10,000) ; that the damage suffered by deponent consists in the loss of his occupation and his earnings which were 200 pesos a month ; that the measure of persecution principally adopted by the Chilean authorities to procure the evacuation by Peruvian citizens of the territories in occupation, consists in conscripting them for service in the Chilean army, notwithstanding their protests respecting their nationality ; that they are, in addition, fined, and their business establishments and homes wrecked by invading mobs, and generally mistreated ; that witnesses to the above are Lacunza, Sarmiento, Ara, and Daniel Berroa ; that his present residence is Lima, Saint Theresa Avenue No. 1571.

(Signed) G. IBARRA.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 284

In Lima, January 9, 1924, Julio Noé Bustamante appeared, and after being duly sworn testified that : He is 36 years of age, unmarried, a typesetter, born in Tacna and legally domiciled in the City of Tacna where he has resided all his life ; in possession of his baptismal certificate, inscribed in the Civil Register of the Province and in the Military Register of Peru ; that having been actively pursued by police agents in the City of Tacna for the purpose of conscripting him for service in the Chilean army, notwithstanding his Peruvian nationality, deponent elected to remain in hiding and, seizing the first favorable opportunity, managed to evade police vigilance and escaped to the Peruvian Frontier at Sama on the first of September of last year, eventually reaching Lima ; that his family consists of his father, two sisters and two daughters who are all, with the exception of his children who are under age, in Lima, having been expelled by the Chilean authorities ; that deponent's damage consists in the loss of his occupation and his earnings which were 250 pesos a month ; that the interment of Peruvian citizens by the Chilean authorities, to the south of Arica, has been consistently carried on, the cases of deportations of which he is personally cognizant being those of Eugenio and Juan Carpio, Ramon Colque, Alfredo Rejas and Carlos Maldonado ; that Peruvians are systematically



persecuted by the public officials and the officers and soldiers of the Garrison, with the connivance of the police authorities, who take them prisoner for no reason whatever, while their homes and places of business are being continually attacked and raided and the contents thereof appropriated by the attackers, and finally, that the correspondence of Peruvian citizens is openly violated in the Post Office of Tacna; that witnesses to the above are Juan Zapata, Carlos Soto, Valeriano Ramos Rosado, Domingo Vargas; that his present address is Lima, Santa Ana Street.

(Signed)	JULIO NOÉ BUSTAMANTE.
(Signed)	GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 285

In Lima, January 9, 1924, Juan Zapata appeared, and after being duly sworn testified that: He is 39 years of age, unmarried, a farmer, born in Tacna and legally domiciled in Tacna and in possession of his baptismal certificate; that during the month of November last year, being actively pursued by the authorities, as were other fellow-countrymen of his, for the purpose of conscripting them into the Chilean army, deponent was compelled to remain in hiding, and as soon as he conveniently could, escaped to the Peruvian Frontier at Sama, whence he continued on to Lima; that his family consists of his mother and an aunt who have remained in Tacna; that he is the owner of a house and a piece of agricultural property with its adequate water supply, which is worth 4,000 pesos, and which brought him in an income of 150 pesos a month; that the Chilean authorities have consistently interned Peruvian citizens to the south of Arica, among whom he can mention Quintana, Benigno Dias, Carlos Molina, Leoncio Alay, José Quelopana and Antuco Centellas; that the Chilean authorities and the officers and soldiers of the Chilean Garrison in Tacna make life unbearable for Peruvian citizens, provoking and insulting them, attacking and raiding their places of business and residences; that witnesses to the above are Humberto Sanchez, Carlos Soto, Julio Noé Bustamante, Valeriano Rosado; that his present address is Lima, Santa Ana Street; that deponent attaches hereto his vaccination certificate issued by the Chilean authorities.

(Signed)	JUAN ZAPATA.
(Signed)	GALLAGHER Y CANAVAL

In Lima, January 9, 1924, Daniel Crespo appeared, and after being duly sworn testified that: He is 50 years of age, a printer, married, born in Tacna, which is his legal domicile and where he has resided all his life, and in possession of his baptismal certificate; that on the 20th day of October of last year a group of police agents in Tacna, in command of the head of the Secret Service, Manuel Barahona, attacked the printing establishment "La Union," the property of deponent, completely wrecking it, destroying the machinery and taking possession of the typographical material which it contained; that upon bringing complaint before the authorities for these arbitrary proceedings directed against him, he obtained no satisfaction of any kind, and a few days later was notified that he would have to leave the territory, owing to his Peruvian nationality, being compelled thereby to sail on the 12th of December last, from the Port of Arica for Callao; that his family consists of his wife and 1 son under age, who will shortly join deponent in this city; that his wife is the owner, in common with her family, of a house in the City of Tacna, worth 20,000 pesos; that deponent's damages consist in the wrecking of his business establishment which was worth 200,000 pesos, and in addition, the income which this brought him in which was around 700 pesos a month; that it is true that the Chilean authorities have consistently interned Peruvians to the south of Arica, among whom he can mention Carlos Molina, Wenceslao Zevalla and Justo Romero; that Peruvian citizens suffer all manner of abuses and persecution, both in their persons and their business interests, the principal exponents of this policy of hostility being the members of the Chilean Garrison and public officials; that the correspondence addressed to Peruvian citizens is systematically violated in the Post Office of Tacna and that all guarantees of safety are withdrawn for anyone who may be of Peruvian nationality, which has resulted in making living conditions absolutely impossible for persons of this nationality; that witnesses to the above are Antonio Sallares Rueda, Balta Zaguer, and in general, all the recently arrived deportees in Tacna and Arica; that his present address is Lima, Humboldt Street No. 260.

(Signed)

DANIEL CRESPO.

(Signed)

GALLAGHER Y CANAVAL.



In Lima, December 11, 1923, José Jimenez Borja appeared, and after being duly sworn testified that: He is 20 years of age, unmarried, a student, born in Tacna and legally domiciled in Tacna all his life, and in possession of his baptismal certificate; that on the 24th of December, 1918, the house where deponent lived, which was that of his grandmother, Dolores Ara, widow of Jimenez, notwithstanding the fact that it contained only children and women, was stoned and sealed on the night of that day, on which occasion the building of the Artisan's Association and the "Mundial" Cinema Theatre, belonging to Aníbal Marchand, were treated in similar fashion; that at the Tacna public school which deponent then attended, the Principal, Luis E. Zuñiga, compelled deponent by force, as well as other fellow-pupils of the same class, to sign a declaration acknowledging their Chilean nationality; that owing to this condition of violence and constant hostility, deponent found it impossible to continue residing in Tacna, and decided, therefore, to leave, together with his grandmother and 3 aunts who made up his family, for La Paz, Bolivia, whence they eventually reached Lima; that, in common with his family, he owns a house in the City of Tacna, and that owing to his condition of dependency, he has not suffered any material loss. Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as the activities of the Chilean Patriotic League and its disorderly meetings, which always culminated in attacks on the persons and homes of Peruvian citizens, attacks which were always carried out at night by soldiers and officers of the Garrison with the connivance and protection of the police authorities; the notifications issued to all business firms to dismiss their Peruvian employees and substitute them with Chilean citizens; the advantage taken of the tender years of pupils to terrorize them into signing declarations contrary to their patriotic feelings; the conscription of young men under age for service in the Chilean army, an obligation from which they should have been doubly exempt, both on account of their immaturity and their Peruvian nationality; the continual assaults and attacks upon the persons of Peruvian citizens in the public thoroughfares, with no regard for sex or age, and the complete disregard by the authorities, who are supposed to maintain order and give protection, to the complaints of the victims; that witnesses to the above are J. Guillermo

Gomez, Alejandro Saravia, Rodolfo Julio Villena; that his present address is Lima, Santa Ana Street. Deponent attaches hereto his diploma issued by the Tacna High School dated December 7, 1917.

(Signed)

J. JIMENEZ BORJA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 288

In Lima, December 24, 1923, Teodoro Caceres appeared, and after being duly sworn, testified that: He is 45 years of age, a widower, a farmer by occupation, born in Tacna and legally domiciled therein all his life, and in possession of his baptismal certificate; that on the 17th of September, 1923, two police agents apprehended him while working on his farm, took him to police headquarters in Tacna and locked him in a cell where he remained incommunicado for 3 days, whereupon he was brought before the Secret Service Agent, Manuel Barahona, who informed him that, owing to his Peruvian nationality, he had been arrested, and that he would have to leave that night for the Peruvian frontier of Sama; that shortly before leaving, he was assaulted by the said Barahona, and that on the way, the 2 agents in whose custody he traveled, made him dismount and flogged him with an instrument made up of leather thongs plaited with lead until he lost consciousness; that on regaining his senses he was compelled once more to mount and proceed on his journey to the frontier where the Chilean carbineers are quartered; that on reaching this place he was again assaulted and tied to a post from 4 in the morning until 10 that day, his sufferings being such that he fell from one fainting fit into another; that upon noticing his condition of extreme weakness, and perhaps fearing that he might die on their hands, the Chilean authorities carried him to the Peruvian side of the frontier at Tomasiri where he received medical assistance, continuing on to Ilo as soon as he had recovered; that his family consists of 4 sons, of whom 2 are under age but who have all been expelled by the Chilean authorities; that his losses amount to 1,000 pesos and his earnings which were 240 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens to the south of Arica, among whom he can mention Adan Bustos, Leoncio Alay, Carlos Molina, Filidor and Alfredo Cadagnaro, Eyzaguirre, and many others whose names he does not, for the moment, recall, all denizens of



the city of Tacna. Deponent then recites the various measures of oppression and persecution instituted by Chilean authorities against Peruvian citizens such as the continual trespassing upon their property by the soldiery, for the purpose of taking their crops and cattle; the arbitrary withholding of the waters of the Rivers Caplina and Uchusuma, to which the Peruvian community is entitled, by the Chilean Water Delegates, Manuel Corbalon, and Fernando Perez, who appropriate for their own use, and that of the institutions and private persons they desire to favor, the water which rightfully belongs to the community; the continual assaults against the persons and attacks against the property of Peruvian citizens, with no respect for age or sex, and the violation of the correspondence in the post offices; that witnesses to the above are all the recent deportees from Tacna; that his present address is Callao, Constitucion Street, No. 202.

(Signed) TEODORO CACERES.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 289

In Lima, December 27, 1923, Carlos Tellez Valdez appeared, and after being duly sworn testified that: He is 44 years of age, married, a lawyer and magistrate, and at present, Judge of the Primary Court of Claims of Huancayo, born in Tacna and legally domiciled in the city of Tacna since 1905 up to the date of his expulsion; in possession of his baptismal certificate and inscribed in the Military Register of Peru; that the Chilean authorities did not attempt to have him register in the Chilean Military Register because he was born before the war; that on the 3rd of January, 1919, he was expelled from Tacna, having been called for that purpose before General Rojas Arancibia towards the end of December, at the same time as the other Peruvians, Messrs. Carlos and Roberto Valverde, Manuel Sologuren, Alberto and Luis O. Diaz, Justo Marin and Carlos Vaccaro; that these persons were brought in separately to confer with the General, who violently abused them, alleging that they were hostile to Chile and to its authorities and had been signing petitions requesting the intervention of President Wilson, concluding by informing him that he would have to evacuate the territory of Arica within 5 days, and that he would, likewise, have to sign a declaration before he left, to the effect that he was doing so voluntarily, a document which deponent refused to sign, whereupon General Rojas Aranci-

bia threatened him and told him he would station guards at his private residence, who would allow neither the ingress or egress of anyone, that he would be expelled overland to Sama, and declining all responsibility for what might happen on the journey, or what might happen to deponent's family in Tacna; that upon the General finding that his threats were of no avail, and after a protracted discussion which lasted almost 2 hours, he eventually agreed that the letter, expressing the reason for deponent's departure, should be worded so as to make it appear that his retirement was a consequence of the extreme political tension existing in the province of Tacna; that upon signing this letter, he was given 8 days to leave, but the steamer on which he was to have taken passage for Callao not having reached the port according to schedule, he was unable to leave on the appointed date, on the day following which, General Rojas Arancibia summoned him to the Intendency, together with the Sub-Prefect of Police, and on the arrival of deponent Lieutenant Prado arrested him, informing him that these were the orders of the General; that at 11 P. M. on the 3rd of January, 1919, he was conducted by Lieutenant Prado and 2 soldiers from the Chilean army in civilian attire, on horseback to the frontier of Sama, where they left him; that his family consists of his wife and 6 children under age, who were all compelled to leave with deponent; that he is the owner of real estate worth 50,000 pesos and stocks and bonds worth 80,000 pesos; that his losses amount to 25,000 pesos, irrespective of the damage suffered through having to suddenly leave a position which he had worked up during many years. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as the threats, the attacks against their property, the arbitrary conscription and obligatory inscription in the Chilean military register, the illegal appropriation by the Treasury of land belonging to Peruvian citizens; the thefts and destruction of the crops belonging to Peruvian farmers by bands of Chilean soldiers and the pressure brought to bear upon merchants and manufacturers to compel them to discharge their Peruvian employees and substitute them by others of Chilean nationality; that witnesses to the above are all the recent deportees from and the residents in general of Tacna and Arica; that his present address is Lima, Industria Avenue, No. 275.

(Signed)

CARLOS A. TELLEZ.

(Signed)

GALLAGHER Y CANAVAL.



### AFFIDAVIT No. 290

In Lima, December 27, 1923, Casimiro Salas N. appeared, and after being duly sworn testified that: He is 29 years of age, unmarried, a clerk by occupation, born in Arica which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate, inscribed in the Civil Register of the province and in the Military Register of Peru; that during the last days of December, 1918, police agents notified him that he would have to leave the territory, owing to the fact that he was *persona non grata* to Chile, so that, being fearful of the persecution which he would incur in case of a refusal, he decided to leave during the first days of the month of January, 1919, for Callao; that deponent managed to wind up all his affairs, though at considerable loss, owing to the disturbed condition then prevalent in Tacna. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against the Peruvian citizens such as the continual meetings of the Chilean Patriotic League which kept the population in a state of perpetual suspense and terrified anxiety, owing to the assaults and attacks which were a consequence of these meetings; the forcible inscription in the Chilean Military Register and the conscripting of Peruvian youth for service in the Chilean army; that witnesses to the above are all the recent deportees from Tacna and Arica; that his present address is Lima, Ayacucho Street No. 101.

(Signed) CASIMIRO SALAS N.

(Signed) GALLAGHER Y CANAVAL.

### AFFIDAVIT No. 291

In Lima, December 27, 1923, Mariano Florez appeared, and after being duly sworn testified that: He is 58 years of age, married, a farmer, born in Omate, province of Moquegua, but domiciled in Tacna since 1878 and previous to that in Omate, and in possession of his baptismal certificate; that the Chilean authorities attempted to secure his registration owing to their law of residence; that on the 22nd of January, 1922, he was notified by the police agent, Valderrama, in the name of the Intendente, to leave Tacna; that upon inquiring the reason for this arbitrary measure, he was informed that there were none to give, and was allowed the extremely inadequate term of 2 days in which to leave the territory, which he managed to effect a few days later, taking passage on the steamer *Aysen* for Callao; that his family consists of his wife and

one son under age, another son having been expelled in 1921, and who subsequently died in Jauja; that he is the owner of 2 farms located in Ume, worth 15,000 pesos, and a little house in the Paja Alley worth 1500 pesos, which is rented; that his losses are about 5,000 pesos as well as his earnings which were from 400 to 500 pesos a month. Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as the ceaseless hostility shown to them solely on account of their nationality; the trespassing by the soldiery on their farms for the purpose of seizing the crops and cattle, as happened with deponent on several occasions; the continual meetings of the Chilean Patriotic League and the results thereof, exemplified by the attacks and destruction of the Union Club and the printing establishments of *La Voz del Sur* and *El Tatora*; the arbitrary disposal, in favor of the Sugar Refining Company, of the water which rightfully belongs to the Peruvian community for irrigation purposes, effected by the Chilean Water Delegates, Manuel Corbalon and Fernandez Perez, and the threats of reprisals in the shape of personal violence made to all persons who dared to make any complaint; that witnesses to the above are Emilio Valverde, Carlos Tellez, Alfredo Vaccaro, Francisco Gomez, Teofilo Salgado, Juan Quelopana and in general, all the recent deportees from Tacna and Arica; that his present address is Lima, Penitencia Street, No. 178.

(Signed) MARIANO FLORES.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 292

In Lima, December 28, 1923, Enrique S. Freundt appeared, and after being duly sworn testified that: He is 28 years of age, unmarried, a merchant, born in Iquique and legally domiciled in the city of Arica since 1919 until his expulsion; that in 1914, being at the time in Iquique, he was taken, together with many other young men, to the barracks of the Carampagnue Regiment, and after remaining there a few days he was exonerated, owing to excess conscription, after being informed that they did not desire to have him in the ranks; that on the 20th of July, 1920, while in Arica, he was apprehended and forcibly put on board the steamer *Aysen* by Alfredo Waterdorff, President of the Chilean Patriotic League and Alfredo Raiteri, likewise a member of this League, the reason given being that he was a Peruvian citizen; no time



was allowed him to make preparations for his departure, deponent addressing a complaint on this score to the British Consul in Tacna, Clarence Elliot, protesting against this arbitrary proceeding and the damage which it occasioned him; that his family consists of his father and 10 brothers, all expelled; that he owns a business establishment in Arica which was a total loss, owing to his deportation; that witnesses to the above are Jorge Finlayson, W. H. Foulkes, C. L. Work, José Rueda, Héctor Valdez and several deportees; that his present address is Barranco, San Antonio Street, No. 263.

(Signed)

E. S. FREUNDT.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 293

In Lima, January 7, 1923, Julio Camacho appeared, and after being duly sworn testified that: He is 28 years of age, unmarried, a clerk by occupation, born in Locumba and legally domiciled in the port of Arica, and in possession of his baptismal certificate; that during the first part of the month of May, 1923, he was notified by the Secret Service Agent, Valdez, that he would have to leave the port of Arica as he had received orders from the Governor to expel all citizens of Peruvian nationality, so that being only too well acquainted with the methods followed by the Chilean authorities against all Peruvians who disobeyed their orders, he decided to take passage on the steamer *Orita* on the 8th of May for Peruvian port of Mollendo whence he eventually reached Lima; that his family consists of his father and 2 brothers under age, who are at present in Ilabaya; that in common with his brothers he owned 2 farms and a house in Ilabaya; that his losses include his position and his earnings which were 150 pesos a month; that it is true that the Chilean authorities have deported a considerable number of Peruvian citizens, the majority being from the outlying districts of the provinces. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens such as the arbitrary expulsions and the arrests and inhuman treatment while at police headquarters, in case of noncompliance with such orders, deponent being able to personally testify to this latter, owing to the treatment received by his intimate friend, Mariano Albarracin, who was so severely mishandled while in jail, that he has been permanently injured for the rest of his life; that another

friend of his, Guillermo Carlos, was likewise barbarously ill-treated by the police authorities while at police headquarters; that witnesses to the above are Mariano Albarracin, Guillermo Carlos, Manuel Maldonado, and all the recent deportees of Arica; that his present address is Lima, Santa Catalina Street, No. 695, Rear 3. Deponent attaches hereto the passport issued to him under date May 8, 1923, by the Bolivian Consul in Arica.

(Signed) JULIO CAMACHO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 294

In Lima, January 9, 1924, Juan Nalvarte appeared, and after being duly sworn testified that: He is 24 years of age, married, a clerk by occupation, born in Sicuani, legally domiciled in the city of Tacna and in possession of his baptismal certificate; that in the month of November, 1918, while a student at the Tacna High School, and subsequent to a discussion between the teacher, Juan Pesio and a group of Peruvian students relative to a point in natural history the upshot of which proved the students to have been right, they were dismissed from class; that on the following day the Principal of the school, upon complaint of the teacher, Pesio, decided that the Peruvian students, Humberto Humire, Adrian Vargas and deponent, were insubordinate, and should be expelled from the school, especially as their names appeared on the list which General Rojas Arancibia had furnished him, desiring their expulsion; that a few days later, when in conversation with his friend Julio Guillermo Gomez, several Chilean officers appeared, among whom was the son of the Prefect of the province, Florentino Herrera, and the son of the Spanish Consul, Lieutenant Casanova, who severely assaulted deponent and his friends; that on the following day he was summoned to the residence of the Spanish Consul under pretext of personal business, and was then threatened so that he would not mention that he had been assaulted by his son, and that being thereupon pursued by the police for the purpose of arresting him, and fearful of the consequences, he decided to leave the city of Tacna for Lima which he in fact, did, on the 21st of March, 1919; that his family consists of his wife, mother and 4 small brothers; that he owns, in common with his family, a house in the city of Tacna and a farm in Los Lotes, worth 8,500 pesos; that the Chilean Patriotic League, directed by high police officials, and whose President is Armando Holley,



organized meetings for the purpose of deciding special measures of persecution against Peruvian citizens; meetings which are the occasion for assaults and attacks against the persons and property of Peruvian citizens, the young Peruvian Valentin Mercado having been seriously wounded by a group of officers who left him for dead upon the street; that witnesses to the above are Ernesto Toro Lopez, Manuel Butron, Justo Marin, Guillermo Gomez, and Manuel Sologuren; that his present address is Lima, Santa Teresa Street, No. 1583.

(Signed)

J. NALVARTE.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 295

In Lima, January 9, 1924, German Morales appeared, and after being duly sworn testified that: He is 22 years of age, unmarried, a soldier, born in Tacna and legally domiciled therein, in possession of his baptismal certificate, inscribed in the Civil Register of the province and in the Military Register of Peru; that on the 6th of January, 1921, he was notified that he would have to effect his military service in the Chilean army or leave the territory within 2 days, owing to his Peruvian nationality, but upon expiration of this term, and fearful of being forcibly conscripted, he fled overland to the Peruvian frontier of Sama; that his family consists of his mother and 2 sisters under age, who are still in Tacna; that his losses include his occupation which brought him in 200 pesos a month; that young Peruvians are arrested and deported south of Arica under pretext of effecting their military service; that soldiers, officers and public officials, as well as the police, continually attack and loot the farms and commit the grossest abuses against the Peruvian citizens, who are denied the ordinary protection afforded by law; that witnesses to the above are Luis Duvaile, Guillermo and Santiago Morales, Alejandro Robles and in general, all the deportees of Tacna and Arica; that his present address is the Military School in Chorrillos.

(Signed)

GERMAN MORALES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 296

In Lima, January 10, 1924, Marcelino Claros appeared, and after being duly sworn testified that: He is 33 years of age, married, a carpenter by trade, born in Arica and legally domiciled therein all his life and inscribed in the Military Register of Peru; that on

the 20th of August, 1919, he was notified by the police agent, Lauquen, to leave the port of Arica on the following day; that upon appeal to the Governor, Luis Arteaga, he was informed that all the tradesmen of Peruvian nationality in the port of Arica, would have to leave within 8 days or be imprisoned for disobeying the orders of the Chilean authorities because the Peruvian artisans made competition with the Chilean citizens impossible, so that deponent was compelled to take passage on the steamer *Ebro* for the port of Callao; that his family consists of his wife and 2 children under age who were obliged to follow deponent; that he was the owner of a carpenter shop and had numerous customers, having built up his trade which he considered worth 3,000 pesos, having lost all this, as well as his household effects; that Peruvian citizens are persecuted by being deprived of the chance to earn their living in any work or occupation, while their homes are usually looted and themselves expelled; that witnesses to the above are Saturnino Maturana, Jorge Miranda, Modesto Gonzalez and all the residents of Arica; that his present address is Callao, Guise Street, No. 131.

(Signed)

MARCELINO CLAROS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 297

In Lima, January 10, 1924, Antonio Salleres appeared, and after being duly sworn testified that: He is 36 years of age, married, a merchant, born in Tacna, legally domiciled in the City of Tacna, in possession of his baptismal certificate and inscribed in the Civil Register of the province; that during the first days of September, 1923, he was summoned before the Court of Tacna to show cause why he was not inscribed in the Military Register of Chile, deponent declaring that he had not done so, nor had he effected his military service in the Chilean army owing to his Peruvian nationality, that on the 1st of December, 1923, the verdict was communicated to him which sentenced him as a delinquent under the Law of Recruits and Substitutes to serve 2 years in the Chilean army, to 60 days' imprisonment and to the costs in the case; that he appealed against this sentence, and taking advantage of this fact, took passage on the steamer *Oroya* from Arica to Callao; that his family consists of his wife and one son under age, who, owing to the persecution directed against them, will shortly join deponent in Lima; that he owns a house and, in common with his brothers,



owns five more in the city of Tacna; that, in company with José Luis Carlevarino, he owns a small warestore in the same city, all of this property belonging to deponent being worth 60,000 pesos; that his losses are 15,000 and his earnings which were 700 pesos a month; that he can personally testify to the deportation effected by the Chilean authorities, among whom he can mention the 2 Romero brothers, Molina, Santos Franco, Roberto Ramos, Andres Gandolfo, and Juan Ara; that in Tacna, Peruvian citizens are assaulted and their homes attacked and looted by the soldiery and the public officials with the connivance and assistance of the police authorities; that correspondence is violated in the post offices, and that the business firms are compelled to dismiss their Peruvian employees and substitute them by Chileans brought there for the purpose; that witnesses to the above are Daniel Crespo, Justo Marin, Arturo Vargas, Lorenzo Ostolaza and all the recent deportees from Tacna; that his present address is Lima, Humboldt Street, No. 260. Deponent attaches hereto his vaccination certificate issued by the Chilean authorities and the passport dated December 12, 1923, granted to him by the Bolivian Consul in Arica.

(Signed)

A. SALLERES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 298

In Lima, January 10, 1924, Alfredo Vaccaro Corcil appeared, and after being duly sworn testified that: He is 43 years of age, a widower, a clerk by occupation, born in Tacna and legally domiciled in the city of Tacna all his life, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that having been summoned before the Intendente, Barceló Lira, and the Prefect, Florentino Herrera, he was personally notified by them that, owing to his Peruvian nationality, he would have to leave the city within 8 days, which he, in fact, did, taking passage on the steamer *Ebro*; that his family consists of 5 children under age, the 3 boys having left with deponent; that he is the owner of 2 houses and a piece of land worth 15,000 pesos, which are being looked after by members of his family; that he estimates his losses to be 6,000 pesos, as well as his life insurance worth 10,000 pesos, which lapsed; that his earnings were 700 pesos a month; deponent then relates the several measures of persecution suffered by the Peruvian citizens at the hands of the Chilean authorities, such as



their forcible inscription in the Chilean Military Register, the withholding of the waters to which the Peruvian farmers are entitled for their plantations, the disorderly meetings held by the soldiers, officers and public officials, which degenerate into attacks on the homes of Peruvians, and other abuses such as the closure of the Peruvian newspapers, and the destruction of the statues of Vigil in Tacna and Zela in Pocollay; that witnesses to the above are Federico Barreto, Aníbal Marchand, J. Saona, Alberto Focacci, Emilio Valverde, Artidoro Espejo, Carlos Tellez, Juan Auza, Rafael Gonzales; that his present address is Lima, Ariquepa Street, No. 912. Deponent further testifies that he was assaulted by soldiers of the Chilean garrison in civilian attire, who beat him so severely that they broke his jaw, the marks of which he retains to this day. Deponent attaches hereto his vaccination certificate issued by the Chilean authorities and the receipts for his policy in the New York Life Insurance Company, No. 4541019.

(Signed) ALFREDO VACCARO C.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 299

In Lima, January 10, 1924, Miguel Collao Fernandez appeared, and after being duly sworn testified that: He is 28 years of age, married, a truckman by occupation, born in Tacna and legally domiciled in the city of Tacna all his life; inscribed in the Civil Register of the province and in the Military Register of Peru; that on October 8, 1923, the Secret Service Agent, Manuel Barahona, apprehended him together with José Modina while they were at work, took them to police headquarters and locked them in a cell; that on being brought before the Prefect of Police, Enrique Vargas, he was violently upraided for having failed to register in the Chilean Military Register, and was told that it was his duty to effect his military service, so that deponent, when confronted by this obligation, preferred to take passage on the steamer *Orcoma* on the 9th of October for the port of Mollendo; that his family consists of his wife and 2 children under age who are still in Tacna; that he owns a house in the city of Tacna and a farm in Humo, worth 8,000 pesos, and that his losses amount to 1,000 pesos and his earnings which were 300 pesos a month; that it is true that the Chilean authorities have deported a considerable number of Peruvian youth, raiding their homes and deporting them to the Southern ports of Chile; deponent knowing personally



of the cases of Lorenzo Alay, José Rosas Ramos, Carlos Molina, Adan Bustos, and many others whose names he cannot, for the moment, recall. Deponent then recites the various measures of oppression and persecution instituted by Chilean authorities against Peruvian citizens, such as the trespassing by Chilean citizens on the farms for the purpose of taking the crops and cattle, in all of which they are protected by the police authorities; the continual assaults in the public thoroughfares; the arbitrary withholding of the waters of the Caplina and Uchusuma rivers by Manuel Corbalon and Fernandez Perez, to which the Peruvian farmers are entitled, as well as the violation of correspondence of the Peruvian citizens; that witnesses to the above are Adrian Menendez, Julio Gomez and several others who are now in Lima; that his present address is Callao, Piura Street, No. 42.

(Signed) MIGUEL COLLAO FERNANDEZ.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 300

In Lima, January 10, 1923, Francisco Ale Ramos appeared, and after being duly sworn testified that: He is 25 years of age, unmarried, a shoemaker, born in Tacna and inscribed in the Military Register of Peru; that on the 1st of October, 1923, he was notified by the Secret Service Agent, Manuel Barahona, to appear before the Prefect of Police, Enrique Vargas Rojas, on the following day; that previous to this, on the 28th of September, he had been grossly abused and sent by the said Prefect to the Court of Tacna for trial; that upon being set at liberty, and as he found he was being pursued, he went into hiding because he knew that the Police Agent, Manuel Barahona, had received orders to take him prisoner and deport him to the South, which compelled deponent to leave Tacna on the 4th of October and, by unfrequented roads to proceed to Sama; that his family consists of his mother and a sister and her two daughters, who have been left entirely unprovided for, since deponent's brother-in-law was likewise expelled; that he owns a house in Tacna and a small farm in Humo which is worth 3,000 pesos, and which have been completely abandoned; that his losses are 500 pesos and his earnings which were 250 pesos a month; that it is true that the Chilean authorities have deported considerable numbers of Peruvian citizens to the Southern ports of Chile, among whom he can mention Adan Bustos, José Rosas Ramos, Oscar Linares, Lorenzo Alay, Carlos Molina and many

others whose names he does not remember; deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens such as the trespassing by the Chilean laborers, imported for the building of the road to Tarata, on the property of Peruvian farmers, stealing their crops and even their cattle, abuses which go unpunished by the police authorities; the arbitrary withholding of the waters of the Rivers Caplina and Uchusuma, by the Water Delegates, Manuel Corbalon and Fernandez Perez, and which rightfully belong to the Peruvian members of the community; the continual abuse and assaults suffered by Peruvian citizens at the hands of the soldiery quartered in Tacna, and the violation of the correspondence of the Peruvians in the post offices; that witnesses to above are Alejandro Valdivia, Enrique Rejas, Humberto Albaracin and all the recent deportees from Tacna; that his present address is Callao, Piura Street, No. 42. Deponent attaches hereto his identification card issued by the Chilean authorities.

(Signed) FRANCISCO ALE RAMOS.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 301

In Lima, January 10, 1924, Cosme Velarde P. appeared, and after being duly sworn testified that: He is 19 years of age, a tailor by trade, unmarried, born in Tarata and legally domiciled in Tarata all his life, inscribed in the Civil Register of the province and in the Military Register of Peru; that since October, 1923, he had been actively sought by the Chilean authorities so as to conscript him into the Chilean army; that on this account they raided deponent's home and threatened his father, giving him 48 hours in which to leave, in case he did not give up deponent, owing to which he was compelled to flee by unfrequented roads to the Peruvian frontier, at great personal danger and at the expense of much suffering; that his family consists of his parents and 4 brothers under age; that the damage suffered by deponent consists in the loss of his occupation and his earnings which were 200 pesos a month; that deponent can testify to the deportations effected by the Chilean authorities, since one of his cousins, Rafael Menendez Velarde, was forcibly deported in March, 1923, and eventually died under the enforced labor and persecution imposed upon him; that among other cases he can mention those of José Velarde, Florencio Zegarra, Gregorio Segundo Ticona, Manuel and Ber-



nardo Pilco, and many others whose names he cannot recall, all from the town of Tarata. Deponent then recites the several measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as the arbitrary expropriation of their lands for the purpose of erecting public buildings, with no compensation to the owners, as happened in the case of the widow of Torcuato Ticona, who lost a valuable piece of property in that manner; the sending of the cattle and horses belonging to the regiment to graze on the land belonging to Peruvian farmers, for which they refused to pay; the forced labor in the construction of roads and public buildings, for which no salary is paid; the trespassing of the soldiery and even the officers on the farms for the purpose of taking the crops, fruit and poultry, deponent being able to specifically mention the attitude of the lieutenant Gatica, Sanhuesa and Larenas, who personally directed the looting of several homes in the Maure district (owing to the death of a carbineer which was wrongly imputed to the Peruvian denizens), during the process of the attack, more than 50 women and young girls of the town of Tarucachi having been criminally assaulted; the prohibition of Peruvians to sell their produce in the market place and the measures taken to prevent them from exercising any trade or calling which may bring them in a livelihood; that witnesses to the above are Julio Gomez, Serafin, Pilco, Adrian Menendez, and all the recently deported from Tarata; that his present address is Callao, Buenos Aires Street, No. 267.

(Signed) COSME VELARDE.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 302

In Lima, January 10, 1924, Julio Aurelio Gómez S. appeared, and after being duly sworn testified that: He is 31 years of age, unmarried, a mining engineer by profession, born in Tacna and legally domiciled therein, in possession of his baptismal certificate, inscribed in the Civil Register of the province and in the Military Register of Peru; that on the 6th of October, 1923, when in San Martin Street in front of the residence of the Commandant of the Regiment of Carbineers of Tacna, he was accosted by Manuel Barahona of the Secret Service, who was on horseback with a police agent named Del Fierro, who informed him that he would have to follow them to police headquarters, and upon reaching this place he was put in a cell, together with several other Peru-



vians for the purpose of being sent to the Chilean cities which had recently been devastated by the earthquake; that he remained imprisoned until the 8th of October when he was set at liberty, owing to the intercession of several prominent persons, who wished to prevent his deportation to those cities; that before he left, the Deputy Police Commissioner, Enrique Vargas Rojas, informed him that he would have to leave the territories of Tacna and Arica within 48 hours, and upon deponent having protested against the treatment he had received, he was informed that such were the instructions of the Intendente, Barceló Lira, who had decided that no Peruvian citizen was to remain in Tacna and that he would have to leave within the appointed time; that on reaching his home he saw that it had been raided by the police, who had gone through all his personal effects, so that on the 10th of October, he complied with the orders received and left for Tarata and thence to Ticaco on the Peruvian frontier, where he arrived on the 12th and remained until the 21st of November, when he proceeded to the Peruvian port of Ilo and took passage on the steamer *Mantaro* for Callao; that his family consists of his father and 3 brothers who were expelled in 1918, as is well known to the Peruvian Government; that he is the owner of real estate, both urban and rural, in all the department of Tacna, worth over 120,000 pesos, all of which has been left completely uncared for; that he estimates his losses in 30,000 pesos, and his earnings which were 1,000 pesos a month; that he can testify to the deportation of considerable numbers of Peruvian citizens from Tacna and Arica, among whom he can mention the cases of José Rosas Ramos, Oscar Ramirez, Lorenzo Alay, Carlos Molina, Angel Blas, Carlos Blas, Humberto Giron, Luis Cañipa, Juan Gondolfo, Santos Franco, Alejandro Colque, Pastor Florez, Modesto Corbacho, Edilberto Liendo Nicolas Coaila, Alejandro Liendo, Francisco Condori, and many others whose names he cannot, for the moment, recall. Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens, such as the assaults by the soldiery which are encouraged by the commanding officers, the trespassing of these and the laborers working on the road from Tacna to Tarata on the land belonging to Peruvian farmers, and the thefts of the crops, fruit and cattle; the expulsion of the Peruvian holders of the market stands, the withdrawal of the trade permits from manufacturers and tradesmen; the orders to all business firms to dismiss all their Peruvian employees and workmen; the arbitrary withholding of the waters



to which the Peruvian community is entitled for the irrigation of its land, and finally the continual assaults committed against the persons of Peruvian citizens by the soldiery and the disorderly elements of the town and their imprisonment in case they should attempt to defend themselves; that witnesses to the above are. Serafin Pilco, Francisco Alay Ramos, Miguel Collao Fernandez, Agustin Barrios, José and Alfredo Rueda, Damaso Salas, Teodoro Caceres, Lorenzo Ostolaza, Guillermo and Alberto Basadre, Alberto Valdez, José Zaldivar, Daniel Crespo, Nicolas Berretta, Juan Vildoso, Manuel Palza, Humberto Albarracin, Esteban Condori and all the recent deportees from Tacna and Arica; that his present address is Callao, Buenos Aires Street, No. 267.

(Signed) JULIO A. GÓMEZ S.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 303

In Lima, January 10, 1924, Adrian Menendez Velarde appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, a shoemaker by trade, born in Tarata and legally domiciled therein all his life, inscribed in the Civil Register of the province and in the Military Register of Peru; that upon having been summoned as a delinquent under the Law of Recruits and Substitutes notwithstanding his Peruvian nationality as is apparent from the notices published in the Chilean daily *El Pacifico* of Tacna, the Chilean authorities of Tarata were actively searching for him to take him prisoner and conscript him into the Chilean army, or to send him south like all the denizens of Tacna and Arica and put him to hard labor in Atacama and Coquimbo, recently destroyed by the earthquake, so that he decided to leave Tarata to avoid this obligation; that his family consists of his parents, and 8 brothers all under age; that his losses include his business which brought him in 150 pesos a month; that it is true that the Chilean authorities have interned a considerable number of Peruvian youth in Atacama and Coquimbo, among others a brother of deponent, called Rafael, who was taken to Copiapó, where he died owing to the hard labor and abuse which he received; and in addition, he can mention the cases of Roberto Franco, Antonio Llanguto, Francisco Condori, José Velarde, Tomas Palza, Amaro Quispe, Mariano Cutipa, and many others whose names he does not, for the moment, recall. Deponent then recites the numerous cases of oppression and persecution instituted

by Chilean authorities against Peruvian citizens, such as the trespassing of the Chilean soldiery on their farms and the thefts of their crops and cattle; the forced labor to which all young men above 21 are subjected in the building of barracks which are being constructed along the Peruvian frontier, and for which they are paid nothing; the special activities of the lieutenants Gatica, Sanhueza and Larenas, who continually instigate their subordinates to every kind of abuse, but especially the last named, who was the one that directed the looting, the attacks, and the criminal assaults which occurred in the town of Tarucachi; that witnesses to the above are Serafin Pilco, Julio Gomez S., Adrian Menendez and all the recently deported from the town of Tarata; that his present address is Lima, Buenos Aires Street, No. 269.

(Signed) ADRIAN MENENDEZ.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 304

In Lima, January 11, 1924, Apolinario Yuffra appeared, and after being duly sworn testified that: He is 37 years of age, married, a merchant, born in Tacna which is his legal domicile and where he has resided all his life; that on the 29th of September, 1923, while he was securing his passport to travel to Sama on business, he was arrested by 2 police agents and taken before the Secret Service Agent, Manuel Barahona, who accused deponent of being a Peruvian spy, and of bearing correspondence from the inhabitants of Tacna, and threatened him with deportation to the south of Chile; that upon deponent's refusal to comply with these orders, he was taken to the stocks and cruelly beaten, and in this condition was put in a cell, whereupon the Police Commissioner, Enrique Vargas Rojas, having arrived and seeing that deponent was in such a pitiable condition owing to the flogging he had received, and fearful that it might end fatally, gave orders to his subordinates to search deponent and put him at liberty on condition that he immediately leave Tacna, no papers having been found on deponent with the exception of his vaccination certificate and identification card, the return of which was denied to him, so that, in view of what had happened to him and so as to avoid a repetition of this ill-treatment, he was compelled to leave the city and proceed to Sama, and on passing through the Customs House, he was again searched by the carbineers and his passport taken from him; that his family consists of his mother, his wife,



two children under age, 2 brothers and a nephew, the 3 latter having been likewise expelled by the Chilean authorities; that in common with his family, he owns 3 farms worth 15,000 pesos, which have been left completely uncared for; that his losses amount to 3,000 pesos and his earnings which were 400 pesos a month; that on January 12, 1923, the Chilean authorities attempted to compel him to sign a declaration expressive of his opinion that Tacna and Arica should better belong to Chile definitely, and also that he should declare his nationality to be Chilean in his identification card, with both of which requests deponent refused to comply; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens to the south of Arica, as is proved by the fate of José Rosas Ramos who was arrested and forcibly put on board for the South of Chile, and who, on finding that it was impossible otherwise to escape from his captors, threw himself overboard and was drowned; deponent then recites the different measures of persecution and oppression instituted by the Chilean authorities against Peruvian citizens such as forbidding them to engage in the dairy business, expelling them from the market place, allowing their fields to be invaded by the soldiery for manoeuvres, regardless of the fact that this ruins their crops; permitting their harvests and cattle to be stolen by the soldiers and civilians, raiding their homes and arresting and torturing them at police headquarters and subsequently deporting them to the south of Chile; the highway robberies on travelers, effected by the carbineers which sometimes result in the death of the former, as occurred with Sanchez, near the Palquilla Camp; that witnesses to the above are Luis Zelada, Ernesto Gil, Eusebio Salinas, and all the recent deportees; that his present address is Callao, Montezuma Street, No. 270.

(Signed) APOLINARIO YUFFRA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 305

In Lima, January 11, 1924, Pedro García appeared, and after being duly sworn testified that: He is 38 years of age, married, a fisherman, born in Arica which is his legal domicile and where he has resided all his life; that about the 25th of September, 1923, various police agents in command of one Valdez, appeared at deponent's residence to compel him to register in the Chilean Military Register, and upon declaring himself to be a Peruvian

citizen, they stated that he would have to leave the territory as soon as possible; that as his trade permit had been canceled by the Fishermen's Guild, which thus deprived him of his means of livelihood, he had no other alternative than to take passage on the steamer *Aysen* for Mollendo, whence he took the steamer *Rimac* for Callao; that his family consists of his sister, his wife and 4 children under age; that he has suffered the loss of his occupation which brought him in 18 pesos a day; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens to the south, among whom he can mention Tomas Castro, Marcelino Rivera, Aurelio Osorio, Leandro Contreras, Collao, and many others whose names he cannot, for the moment, recall; that on the pretext of the Military Service requirements, young Peruvians are continually pursued by the authorities, while all fishermen of Peruvian nationality have had their trade permits withdrawn which compels them to leave the territory; that witnesses to the above are Teofilo Contreras, Gerardo Ara Trillo, Andres Corres, and all the recent deportees; that his present address is Callao, Ancachs Street, No. 87.

(Signed) PEDRO GARCIA.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 306

In Lima, January 11, 1923, Victor Torres appeared, and after being duly sworn testified that he is 44 years of age, unmarried, a fireman, born in Tacna and legally domiciled therein all his life; that in December, 1923, having been suddenly dismissed from his position as a fireman on the Tacna and Arica Railroad, owing to the orders from the Chilean authorities, as may be noted from the letter addressed to him by his employers, and his place taken by a Chilean fireman, and having been unable to secure any other kind of employment by which he might earn his living, he decided to take passage on the steamer *Essequibo* from Arica to Callao on the 8th of January, 1924; that his family consists of his mother, a brother and 2 natural sons under age, who have remained in Tacna exposed to the persecutions of the Chilean authorities; that the damage suffered by him consists in the loss of his occupation worth 2,400 pesos and his earnings which were 430 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens, a fact to which he can personally testify, since the railroad on which he worked



continually transported by night, more or less numerous contingents of these men to the port of Arica; that among the interneers he can mention Eugenio Carpio, Ramon Colque, Celestino and Justo Romero, Juan Denegri, Honorio Gonzales, Carlos Plaza and many others whose names he does not know because they proceeded from the outlying districts. Deponent then recites the various methods of persecution and oppression instituted by the Chilean authorities against Peruvian citizens in the provinces of Tacna and Arica, such as compelling alien and domestic business firms to dismiss their Peruvian employees and replace them by others of Chilean nationality, as happened with deponent; the conscription of young Peruvian citizens for service in the Chilean army, and their deportation under this pretense, to points south of Arica; the continual assaults and attacks against the persons and residences of Peruvian citizens, with no respect for sex nor age, and the violation of correspondence in the post offices; that witnesses to the above are Sagredo, Caceres, Ramos, and in general, all the recent deportees. Deponent attaches hereto his vaccination certificate issued by the Chilean authorities, bearing the stamp of the Arica Agency of the Pacific Steam Navigation Company under date January 7, as well as the letter of dismissal on the official stationery of the company of the Arica-to-Tacna Railroad, signed by the manager, George Elliot; that his present address is Lima, Santa Ana Street.

(Signed) VICTOR TORRES.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 307

In Lima, January 11, 1924, Guillermo Liendo Gonzalez appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a carpenter by trade, born in Tacna and legally domiciled therein all his life; in possession of his baptismal certificate and inscribed in the Civil Register of the province; that on the 6th of October, 1923, being sought for by the Chilean authorities as a delinquent under the Law of Recruits and Substitutes, and being fearful that he would be apprehended and sent to Copiapó, which was a matter of daily occurrence with others of his fellow-countrymen, he decided to escape to the Peruvian frontier of Sama, which he in fact did on the 8th of the month mentioned above; that his family consists of his mother and a young sister, who have remained in Tacna, but who, owing

to Chilean persecution, will shortly join deponent; that his damages consist in the loss of his occupation and his carpenter shop by which he earned his living and kept his family on his earnings, which were 150 pesos a month; that it is true that the Chilean authorities have deported considerable numbers of Peruvian citizens to different parts of Chile, among whom he can mention Juan Gonzales, Juan Madueño, José Rueda and many others whose names he cannot, for the moment, recall; that Peruvian citizens are made to suffer the most unheard-of abuses in their persons and interests, deponent having personally witnessed incredible scenes of vandalism effected by soldiers and officers of the army disguised as civilians, under police protection, so as to compel all Peruvian citizens to evacuate the territories in Chilean occupation; that witnesses to the above are Valeriano Ramos, Ramon Torres, Claudio Gonzalez, Miguel Collao, Carlos Soto and many others; that his present address is Lima, Santa Ana Street.

(Signed) GUILLERMO LIENDO GONZALEZ.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 308

In Lima, January 11, 1924, Ramon Torres appeared, and after being duly sworn testified that: He is 15 years of age, unmarried, a clerk by occupation, born in Pochochira, district of Arica, and legally domiciled in Arica all his life; in possession of his baptismal certificate and inscribed in the Civil Register of the province; that in October, 1923, he was arrested by the police authorities of Chile and taken by force to the province of Copiapó, where he was landed and left to look out for himself as best he might; that after having remained there 5 days, he managed to reach Valparaiso where he stayed 6 days, and after suffering incredible hardships, as may well be imagined, he met with Sr. Gonzalez Sofia who, after having been informed of the above circumstances, generously paid his passage to Arica whence he eventually reached Lima; that his family consists of one brother under age; that the damage suffered by deponent consists in the loss of his occupation and his earnings which were 80 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens among whom he can mention the cases of Juan Madueño, José Rueda and Oscar Linares; that Peruvian citizens, as is publicly known, are continually assaulted



in the streets and public thoroughfares, with the connivance of the police and judicial authorities who refuse to furnish them with any guarantees of safety, while the farms in the surrounding country are invaded by Chilean mobs who appropriate, at their pleasure, the crops, the fruit and even the cattle, all with the knowledge and protection of the police authorities; that witnesses to the above are Guillermo Liendo, Claudio Gonzalez, Valeriano Ramos and Antonio Caceres; that his present address is Lima, Santa Ana Street.

(Signed)

RAMON TORRES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 309

In Lima, January 11, 1924, Teofilo Contreras appeared, and after being duly sworn testified that: He is 37 years of age, married, a truckman, born in the port of Arica and legally domiciled therein, inscribed in the Civil Register of the province; that the Chilean authorities endeavored to have him register in the Chilean Military Register but that he refused; that on several occasions the Labor Contractor, Ibañez, had urged him to leave for the Chilean provinces in the South of Arica, but that as he had repeatedly refused to do so, this same Ibañez, together with other Chilean citizens, continually molested deponent, so as to compel him to leave, a hostility which was likewise shown him in the Truckman's Guild to which he belonged, and that finally, having deprived him of his horses and cart, having arrested him and cruelly mistreated him, deponent was eventually compelled to leave Arica, which he did on the steamer *Cachapoal* for Mollendo, and thence on the steamer *Orcoma* for Callao; that his family consists of his wife and 3 children under age, who had to join deponent subsequently, likewise owing to the hostility shown to them; that deponent has lost his household utensils, his cart and his horses which he states are worth 2,000 pesos, as well as his earnings which were 20 pesos a day; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens, a measure to which he can personally testify, as he recalls the cases of Victorino Collao, Moises Caitonte, Leandro Congreras, and Juan Cornejo; that Peruvians are persecuted in every way, so as to make their continued residence in the territories unbearable; that young men are impressed in the Chilean army to escape which indignity they are compelled to leave everything at a moment's

notice and take refuge, after incredible hardships, within the Peruvian frontier, while Peruvian citizens of advanced age are persuaded or compelled to go to Copiapó, where they are disembarked and left to find means of subsistence as best they may, which is an absolute impossibility at the best of times, owing to the hostility shown to persons of their nationality, but more especially now, since owing to the recent earthquake there is a great scarcity of employment, and the denizens of this district either emigrate voluntarily or are sent by their Government to other places where they may obtain employment; that witnesses to the above are Mariano Guerra, Ramon Delgado, Pedro García, and all the recently expelled from Arica. Deponent attaches hereto his passport issued on the 27th of September, 1923, by the Bolivian Consul in Arica; that his present address is Callao, Ancachs Street, No. 87.

(Signed)

TEOFILO CONTRERAS.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 310

In Lima, January 11, 1924, Andres Correa appeared, and after being duly sworn testified that: He is 23 years of age, unmarried, a clerk by occupation, born in Tacna which is his legal domicile and where he has resided all his life, in possession of his baptismal certificate and inscribed in the Civil Register of the province; that in the month of December, 1919, being pursued by the Chilean authorities of Tacna for conscription in the army of this enemy-country, which was incredibly repugnant to his feelings as a Peruvian citizen, he has no alternative than to leave on the steamer *Guatemala* for Callao; that his family consists of 3 brothers, of whom 2 are under age; that he has lost his occupation which brought him in 100 pesos a month. Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities against the Peruvian citizens of Tacna and Arica, such as the continual and disorderly meetings of the Chilean Patriotic League constituted by soldiers, officers, Civil Service employees and police officials, which demanded the expulsion of determined Peruvian citizens, and which, on breaking up its meetings, usually indulged in every form of violence, attacking and looting the homes and business establishments of Peruvian citizens; the prohibition to Peruvian citizens expelled by the Chilean authorities from Tarapacá to land in Arica, and in general,



every means which ingenuity can devised to secure the evacuation of the denizens of the provinces in occupation; that witnesses to the above are Manuel and Alfredo Rospigliosi, Andres Castillo, Alejandro Garibaldi, and in general, all the deportees from the south; that his present address is Lima, Espalda de Santa Clara Street, No. 401.

(Signed)

ANDRES CORREA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 311

In Lima, January 11, 1924, Esteban D. Quispe appeared, and after being duly sworn testified that: He is 30 years of age, unmarried, a clerk by occupation, born in the city of Tacna and legally domiciled in the port of Arica, inscribed in the Civil Register of the province and in the Military Register of Peru; that on the 2nd of August, 1920, while passing through Atahualpa and General Lagos Streets, in the port of Arica, he was attacked by a mob of 50 Chilean boatmen, who, after severely beating and stoning him, as may be seen by the marks which he bears to this day, left him unconscious after taking from him everything of value which he possessed; that deponent was taken in by Sr. Juan de la Cruz Corbacho, who surely saved him from death because, several hours later on that same night, another mob of Chileans came back to look for him and finish him up; that on the following day, being confined to his bed owing to the mistreatment he had received, he was notified by the police agent of Arica, Valdez, to leave the port under penalty of being arrested and further beaten, a threat which compelled deponent on the following day to make arrangements to be carried to Tacna in company with his aunt and a brother, on the 5th of August, and after several days medical attention and as soon as his health would allow, he left for the provisional frontier of Sama, whence he eventually reached Lima; that his family consists of his aunt, 3 brothers and 2 children under age; that deponent estimates his losses to be 1,000 pesos and his earnings, which were 300 pesos a month; that Peruvian tradesmen are forbidden to sell their produce in the market place or other public establishments, or to follow any industry or profession; their establishments being closed, after having been looted by disorderly mobs which are composed of police agents, soldiers and officers of the Chilean army disguised as civilians, while it is an every day occurrence for the farmers to have their land invaded by Chileans who take possession of

their crops, fruits and even cattle, against which abuses they have no redress, owing to their Peruvian nationality; that witnesses to the above are Victoriano Collao, Manuel Velasco, Santiago Ulloa, and all the recent deportees; that his present address is Callao, Necochea Street, No. 70.

(Signed) ESTEBAN D. QUISPE.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 312

In Lima, January 11, 1924, Santiago Ulloa Melendez appeared, and after being duly sworn testified that: He is 54 years of age, married, a lathe operator, born in Arica and legally domiciled therein all his life, and in possession of his baptismal certificate; that on the 23rd of September, 1923, he was arrested in the streets by 3 police agents from Arica and taken to police headquarters where the Chief of the Secret Service, Valdez, informed him that by order of the Prefect of Police, he would have to leave the city within 6 days; that upon protesting against this order, which he could not understand, since he had not committed any offense and was known, on the contrary, to be an honest and law-abiding citizen, the official mentioned above told him that such matters had nothing to do with the present case, and that deponent would have to leave because he was a Peruvian citizen, within 3 days, and should he fail to comply with this order, he would be arrested and shipped to the South of Chile; whereupon, in view of such circumstances and so as to avoid more serious troubles, he took passage for Callao on the steamer *Aysen*; that his family consists of his wife and 5 children, one of whom is over age, and who are all now in Callao; that he owns 2 houses in the city of Arica, which are worth 13,500 pesos which have been left totally uncared for and bring in no return to deponent, who estimates his losses in 5,000 pesos, as well as his earnings which were 300 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens to the South, among whom he can mention the cases of Santos Franco, Pastor Florez, Alejandro Colque, Angel and Carlos Bras, and many others whose names he does not remember because they belonged to the outlying districts; that all Peruvian citizens are molested and assaulted on account of their nationality, the very right to work is denied them by the Chilean authorities, who have taken effective measures to prevent their securing employment at any time, so that they are compelled to emigrate; that witnesses to the above are German Cornejo, José Lanchipa,



and all the recent deportees; that his present address is Callao, South Arequipa Street, No. 12. Deponent attaches hereto his identification card issued by the Chilean authorities.

(Signed) SANTIAGO ULLOA M.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 313

In Lima, January 11, 1924, Juan Trillo appeared, and after being duly sworn testified that: He is 32 years of age, married, a carpenter by trade, born in Tacna and legally domiciled in the port of Arica, and in possession of his baptismal certificate; that during 1919 he was engaged in work on some property belonging to Sr. Julio Fuenzalida in the Valley of Lluta; that in March of that same year, this gentleman informed him that he had received strict orders from the authorities of Arica to dismiss all workmen of Peruvian nationality, and as deponent was among these, he had to suffer the cancellation of his contract, which caused him considerable loss; that under these circumstances, and being without work, which he could not secure though he was willing to do anything to earn his livelihood, all business firms having, by this, received orders from the authorities to give no work to Peruvian citizens, he was eventually compelled to leave the port of Arica, taking passage on the steamer *Imperial* for Callao on the 29th of March, 1919; that his family consists of his wife; that he owns 2 small houses in Tacna worth 3,500 pesos; that he estimates his losses in 2,000 pesos and his earnings which were 250 pesos a month; that Peruvians found in the streets are assaulted by Chilean mobs instigated by the port authorities, who have forcibly deported considerable numbers; that the authorities have given strict orders to all business firms to dismiss their Peruvian employees, orders which they have been compelled to carry out, and that in addition, a continual state of terror exists, owing to the activities of the Chilean Patriotic League, which marks the houses of Peruvian citizens with black crosses to indicate their forthcoming attack and looting; that witnesses to the above are José and Eleuterio Velarde, Pio Belaúnde, and Ernesto Gil Palza; that his present address is Callao, Arequipa Street, No. 50. Deponent attaches hereto the certificate of inscription dated January 12, 1917, and signed by the Registrar, Armando Holley, in proof of his forcible inscription under the provisions of the Law of Recruits and Substitutes.

(Signed) JUAN TRILLO.

(Signed) GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 314

In Lima, January 11, 1924, Manuel Tellez Cornejo appeared and after being duly sworn testified that: He is 23 years of age, unmarried, a clerk by occupation, born in Tacna and legally domiciled in the port of Arica, inscribed against his will in the Chilean Military Register, and voluntarily in the Military Register of Peru; that during the last days of June, 1923, the police agent, Valdez, appeared in the store of Victor Viaccava, where deponent was employed, and summoned him to appear at police headquarters, and deponent, having feared to comply with this order, was arrested and detained in an endeavor to coerce him into serving in the Chilean army, a measure with which deponent insisted he could not comply owing to his Peruvian nationality, the authorities then setting him free under condition that he would immediately leave the port of Arica, which he, in fact, did, taking passage on the steamer *Oriana*; that his family consists of his mother and 4 brothers under age; that the damage suffered by deponent consists in the loss of his occupation which brought him in 100 pesos a month; that it is true that the Chilean authorities have deported considerable numbers of Peruvian citizens, a fact to which he can personally testify, since he was present at numerous recruitings, among which he remembers the cases of Federico Santelles, Alfredo Ponce, Colque and many others, all from the port of Arica; that Peruvian citizens are grossly ill-treated for no reason excepting their nationality, as happened with Guillermo Carlos, who was severely beaten, as were also Luis Rondon, Jorge Acevedo, and Lacunza; that witnesses to the above are Pedro Valdez, Leonidas Yanulaqui, Mariano Guerra Giron, Teofilo Contreras and Teofilo Gonzales; that his present address is Callao, Union Street, No. 220. Deponent attaches hereto his vaccination certificate issued by the Chilean authorities.

(Signed)	MANUEL TELLEZ CORNEJO.
(Signed)	GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 315

In Lima, January 11, 1924, David Giron appeared, and after being duly sworn testified that: He is 56 years of age, married, a farmer, born in the Valley of Lluta and legally domiciled therein, and in possession of his baptismal certificate; that as he was being



continually persecuted by the Sub-Delegate of the Valley of Lluta, requiring him to leave the territory, that his property was continually overrun by the Chilean mobs who stole his produce and cattle, that his sons were ejected from the public school on account of their Peruvian nationality, while his relatives in the port of Arica were likewise continually persecuted and went in fear of their lives owing to the absence of all guarantees of safety, he was eventually compelled to dispose of his property so as to avoid any further persecution, a fact which can be proved by the deeds executed before Carlos Blanlot who, at the time, was in charge of the notarial office of the port of Arica, belonging to Caro Allende, and which were in favor of José Jimenez (a Peruvian, who, however, from news recently received, has likewise been deported to the South of Chile) and in favor of Pedro Vilca, of whom no news can be obtained; that in the middle of December, 1921, he left Arica for Callao on the steamer *Guatemala*, reaching his destination on the 25th of the same month; that his family consists of his wife and 6 sons under age, and 1 of age who is at present in Locumba; that he owns 2 farms in the Valley of Lluta and a house in the port of Arica, all worth 60,000 pesos; that he estimates his losses to be 4,000 pesos, and his earnings which were 500 pesos a month; that it is true that the Chilean authorities have deported considerable numbers of Peruvian citizens to the South and he can personally testify to the cases of Juan Gandolfo, Elesban Giron, and Colque; that deponent can also personally testify, while in the port of Arica, to the attacks against the business establishment of Adrian Gonzales by a disorderly mob of Chileans, who looted the place of everything it contained; of the attack, likewise, directed against the shoe store belonging to Edilberto Andrade, against the grocery stores of Ernesto Foucheix and Luis Beretta, which were likewise looted, the attackers carrying off everything which they found, all these disorders going unpunished by the police authorities who did not interfere to prevent them; that witnesses to the above are José Velarde, Abel Soto, Oscar Corro, Manuel Tellez Cornejo, Eleuterio Velarde and many other deportees; that his present address is Callao, Union Street, No. 220. Deponent attaches hereto 8 receipts from the Municipal Treasurer for the payment of taxes on the property which he owns in Arica.

(Signed)

DAVID GIRON.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 316

In Lima, January 12, 1924, Mariano Focacci appeared, and after being duly sworn testified that: He is 52 years of age, married, a shoemaker by trade, born in Arica which is his legal domicile and where he has resided all his life; that in the month of October, 1923, he was arrested by police agent in his domicile upon orders from the Governor of Arica, and taken to police headquarters, where he was informed that, owing to his Peruvian nationality he would have to evacuate the territory as soon as possible, and being only too well acquainted with the methods adopted by the Chilean authorities when their orders were not immediately executed, he decided to leave the territory, taking passage on the steamer *Oriana*, on the 23rd of October of that same year for Callao; that his family consists of 3 sons, one of whom is of age; that he owned a house in the port of Arica which the authorities compelled him to sell to them and in which they established the Barros Arana School, and for which he only received 4,000 pesos, although it is assessed by the Municipality with a value of 9,000 pesos, and when he wishes to bring suit against the city for this arbitrary proceedings, he was threatened with imprisonment and with being deported to Copiapó by the Governor, so that deponent was compelled to desist from his intentions; that he estimates his losses in 8,000 pesos, as well as his earnings which were 20 pesos a day; that it is true that the Chilean authorities have deported considerable numbers of Peruvian citizens, a fact to which he can personally testify, among whom he can mention Juan Cornejo, Lizardo Canales, Godofredo Bravo, Tomas Molina, Fortunato Salazar, Ismael Vasquez, José Manchego, Angel Tapia, and Angel Bras, and Raul Ordoñez, and many others whose names he does not recall; that the Chilean authorities forbid Peruvian farmers to sell their produce; merchants and tradespeople have their trade permits canceled; they are not allowed to engage in any industry, profession or employment; they are pursued worse than the enemy in time of war, they are ill-treated and insulted and if they are unfortunate enough to retaliate against their persecutors, they are arrested and imprisoned at police headquarters, where they are kept for days without food; that witnesses to the above are Francisco Florez, Daniel Gongora, Adrian Balcazar and all the recent deportees; that his present address is Callao, Paita Street, No. 22.

(Signed)

MARIANO FOCACCI.

(Signed)

GALLAGHER Y CANAVAL.



# AFFIDAVIT No. 317

In Lima, January 12, 1924, Rodolfo Zegarra appeared, and after being duly sworn testified that: He is 24 years of age, unmarried, a surgeon dentist by profession, born in Tarata and legally domiciled in the city of Tacna, inscribed in the Civil Register of the province and in the Military Register of Peru; that in January, 1919, while in Tarata, he was notified by the Prefect, Castillo, that he would have to register in the Chilean Military Register, and as deponent declined on the score of his Peruvian nationality, this official issued orders for his arrest, so that, knowing that he was being actively sought for, he was compelled to escape from Tarata to Ticaco during that same month, where he remained for about 4 weeks and then continued on to Lima; that his family consists of his parents and 7 brothers, of whom only the former are still in Ticaco; Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities against the Peruvian citizens of Tacna and Arica, such as the activities of the Chilean Patriotic League composed of soldiers and officers of the Chilean army which organized demonstrations against Peruvians, attacking their domiciles and places of business; that the Peruvian pupils were arbitrarily expelled from the public schools and were compelled to leave the territories so as to continue their education in other centers, and the trespassing by soldiers on the farms to steal the produce and the cattle for which they went unpunished by the Chilean authorities; that witnesses to the above are Artidoro Zegarra, Juan Nalvarte, Ernesto Toro Lopez, Juan Zevallos, and many others whose names he cannot, for the moment, recall; that his present address is Lima, Lechugal Street, No. 738.

(Signed)

RODOLFO ZEGARRA.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 318

In Lima, January 12, 1924, Paulino Vignardello appeared, and after being duly sworn testified that: He is 55 years of age, married, a laborer, born in Arica which is his legal domicile and where he has resided all his life; that owing to the continual state of unrest, alarm and terror prevalent in Arica owing to the ceaseless attacks against the persons and the property of Peruvian citizens by all the disorderly elements of the town under the protection of the

police authorities, and as deponent had been dismissed from his position solely on account of his nationality, and as he found it impossible to secure any other employment owing to the measures adopted to this end by the same Chilean authorities, he decided to leave the port of Arica, which he effectually did on the 17th of September, 1919, for the port of Callao; that his family consists of his wife and 3 sons who are all with deponent; that the damage suffered by deponent consists in the loss of his occupation, which brought him in 250 pesos a month; that Peruvian citizens are hampered and persecuted in every possible way; they cannot engage in any business occupation because trade permits are denied them, their homes and shops are looted and no redress can be obtained from the authorities; they cannot even sell their produce in the streets for they are abused, assaulted and despoiled of all they possess; that witnesses to the above are Manuel Velasco, Santiago Ulloa, Juan Chura, and all the recent deportees; that his present address is Callao, Paita Street, No. 16.

(Signed) PAULINO VIGNARDELLO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 319

In Lima, January 12, 1924, Dámaso Corbacho appeared, and after being duly sworn testified that: He is 21 years of age, unmarried, a farmer, born in Arica which is his legal domicile and where he has resided all his life; that being actively pursued by the authorities as an alleged delinquent under the Law of Recruits and Substitutes, and knowing in addition, that all young Peruvians were arrested and shipped to the cities of Atacama, recently destroyed by the earthquake, where they are put to hard labor of such severity that many of them have died in consequence, and as deponent's residence had been raided several times by the police agents from Arica, who were under orders of the Governor to apprehend and deport him to the South of Chile; and being aware, further, that it was impossible for him to consent to serve in the army of the enemies of his country, he decided to leave the port of Arica for Callao, which he in fact, did on the 8th of October, 1923; that his family consists of his common-law wife and 1 natural son, who were compelled to follow deponent, as well as his 5 brothers under age; that deponent estimates his losses to be 2,000 pesos, and his earnings which were 300 pesos a month; that it is true that the Chilean authorities have deported considerable



numbers of Peruvian citizens, a fact to which he can personally testify, especially as regards the cases of Mariano Herrera, Fidel Quelopana, Angel Bras, Luis Garate and several others; that Peruvian citizens are mistreated and abused, have their homes and stores attacked and looted, as happened to Luis Baretta, all with the connivance and the protection of the police authorities, who have withdrawn all guarantees of safety from Peruvian citizens and refuse to proceed against their attackers; that witnesses to the above are Juan Rios, Manuel Lopez, and in general, all the recent deportees; that his present address is Callao, Marco Polo Street, No. 148.

(Signed)

DÁMASO CORBACHO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 320

In Lima, January 12, 1924, Pablo Cornejo Albarracin appeared, and after being duly sworn testified that: He is 27 years of age, unmarried, a mechanic by trade, born in Arica and legally domiciled in the port of Arica, inscribed in the Civil Register of the province and in the Military Register of Peru; that as the Chilean authorities were actively pursuing him as an alleged delinquent under the Law of Recruits and Substitutes, notwithstanding his Peruvian nationality to which effect he had testified in court, he was finally compelled to escape from the port of Arica on the 10th of February, 1923, proceeding to Sama by unfrequented routes, since he could not bring himself, owing to his feelings as a Peruvian, to serve in the army of the enemies of his country; that his family consists of 7 brothers who have likewise been expelled, and 1 sister who has remained behind and is in charge of deponent's interests; that he was the lessee of a farm in the valley of Lluta which, however, had to be given up because it was found impossible to secure permission from the authorities to dispose of the produce; that he estimates his losses to be 1,000 pesos, and his earnings, which were 300 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens from the provinces of Tacna and Arica, deponent being able to testify to the cases of Santos Franco, Alejandro Colque, Angel Bras, and many others from the valleys of Lluta and Azapa; among the methods of persecution employed by the Chilean authorities are the prohibition to sell the produce of their farms; the continual manoeuvres by the soldiers of the

garrison on their land, thus destroying their crops; their fields are overrun by the same soldiery and their fruit and cattle taken away, while they are not able to undertake any profession or occupation because the authorities will not grant them the necessary licenses, while the fact that all Peruvian citizens, with no regard for sex or age, are habitually assaulted and mistreated in the public thoroughfares, solely on account of their nationality is so well known as to hardly require iteration; that witnesses to the above are Dámaso Corbacho, Francisco Florez, Mariano Focacci, Daniel Balcazar, and all the recent deportees from Arica; that his present address is Callao, Castillo Street, No. 3. Deponent further wishes to leave on record that his uncle, Emilio Cornejo, was notified and expelled, and was obliged to practically give away all his holdings.

(Signed) PABLO CORNEJO ALBARRACIN.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 321

In Lima, January 12, 1924, Eraclio Caceres appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a farmer, born in Arica which is his legal domicile and where he has resided all his life, and inscribed in the Military Register of Peru; that at the beginning of October, 1923, he heard that he was being actively sought by the police agent, Quiroz, to compel him to effect his military service in the Chilean army, and though deponent had previously managed to evade such summonses on various occasions, he was informed that there would be no letup in the pursuit until he was apprehended, so that fearful of the fate which he knew only too well had overtaken several of his friends and fellow-countrymen, he was compelled to leave Arica on the steamer *Ebro* for the port of Mollendo on the 14th of that same month and year, continuing on to Lima where he voluntarily presented himself for service in the Peruvian army; that his family consists of his mother and 6 brothers, of whom 5 are under age, and who have all remained in Arica; that in common with his brothers he owns two houses in Arica worth 8,000 pesos; that the damage suffered by deponent consists in the loss of his occupation which brought him in 150 pesos a month; that it is true that the Chilean authorities have deported considerable numbers of Peruvians to points in Chile south of Arica, being able to personally testify to the cases of



José and Felix Tapia, and Glicerio Corriso, and many others whose names he does not know, because they are denizens of the outlying districts; that he personally witnessed the attack in Arica on the residence of the Cañipa family by a Chilean mob which, incited by the police authorities, stripped the house of all its belongings and carried them away; that young Peruvians are arbitrarily arrested and interned in other parts of Chile, no news of their fate ever reaching their families, as happened in the cases of the Reynoso and the Corbacho brothers, while the daily assaults against the persons of Peruvian citizens are of such common occurrence that mention thereof is almost superfluous; that witnesses to the above are Gerardo Caceres, Alfredo Sagredo, Miguel Collao and all the recent deportees from Arica; that his present address is Lima, Santa Catalina Street. Deponent attaches hereto his vaccination certificate issued by the Chilean authorities and his passport, granted on the 13th of October, 1923, by the Bolivian Consul in Arica.

(Signed) ERACLIO CACERES.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 322

In Lima, January 12, 1924, Eleuterio Velarde appeared, and after being duly sworn testified that: He is 35 years of age, unmarried, a farmer, born in Tacna and legally domiciled in Arica, and for the last 3 years in the valleys of Lluta and Azapa; that in 1919, he worked, together with his brother, as lessees of the "Union Club" Bar in the port of Arica, when in November, of that same year, several individuals of Chilean nationality came to the canteen and informed deponent that he would have to appear at once before the Captain of the port, that they had instructions from the President of the Patriotic League, Francisco Lopendi, to compel him to go to the above-mentioned place; that on appearing before the first-named official, he was informed that he was in receipt of orders from his government to cause the evacuation of the port of Arica of all Peruvian citizens within 24 hours, and that, should deponent not comply with these orders, he would alone be responsible for what might occur; that in view of the above, deponent, together with his brother José, was compelled to leave the port, escaping to the valley of Azapa and leaving their business of the canteen and all their other interests completely uncared for from one day to another; that after

having remained in hiding in the valley of Azapa, several commissioners appeared for the purpose of conscripting the Peruvian denizens, so that deponent was obliged to escape to the valley of Lluta, from which he was again obliged to flee, taking refuge in the port of Arica so as to take passage on the first steamer which might touch there, which happened to be the *Essequibo*, and on which he sailed on the 8th of January of 1924, for Callao; that his family consists of his mother and 5 brothers who are all in Callao; that he estimates his losses to be 20,000 pesos because, in addition to having lost the management of the canteen, there were many debts which he could never collect, owing to the precipitate nature of his departure and to the fact that Peruvians enjoy no rights and are exposed to continual personal assaults; that deponent's earnings were 200 pesos a month, which he likewise lost; that it is true that the Chilean authorities have deported considerable numbers of Peruvian citizens to the south of Arica, among whom he can mention Villanueva, Colque, Teodorico Corbacho, and many others whose names he does not recall; in addition to the usual abuses and persecutions suffered by Peruvians, deponent wishes to mention the case of his fellow-countryman called Lucero, who was cruelly mistreated because his son had voluntarily gone to Peru to effect his military service in the Peruvian army; that witnesses to the above are José and Agustin Velarde, Santiago Corrales and Emilio Salinas; that his present address is Callao, Arequipa Street, No. 50. Deponent attaches hereto his identification card issued by the Chilean authorities.

(Signed) ELEUTERIO VELARDE REJAS.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 323

In Lima, January 12, 1924, Florencio Ale Gonzales appeared, and after being duly sworn testified that: He is 36 years of age, married, a carpenter by trade, born in Tacna and legally domiciled therein, in possession of his baptismal certificate and inscribed in the Civil Register of the province; that at the beginning of August, 1923, he was several times notified by police agents to register in the Chilean Military Register, but as deponent at the time was working in the port of Arica and absent from home, he was advised thereof by his family and his return to Tacna, and as soon as he had reached his domicile, he was immediately arrested and



brought before the Secret Service Agent, Manuel Barahona, who told him he was summoned to appear before the court, which he complied with, appearing before Judge Lamberto Caro, who advised him of the charges against him as a delinquent under the Law of Recruits and Substitutes; that owing to the efforts of his employer, Pablo Visconti, he managed to secure guarantees of safety, but a few days later was informed of the verdict which sentenced him to 2 years' service in the army, to 60 days' imprisonment and to 200 pesos fine, against which he appealed before the Court of Iquique, taking advantage of this circumstance to immediately take passage on the steamer *Ebro* on the 21st of August, 1923, and landing in Callao on the 24th of the same month; that his family consists of his wife and 3 children under age; that he owns a house and a farm worth 5,000 pesos; that he estimates his losses to be 4,000 pesos and his earnings which were 12 pesos a day; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens from provinces of Tacna and Arica, among whom he can mention the cases of Leoncio Alay, Molina, Vargas and José Rosas Flores; that the Chilean authorities ceaselessly recruit young Peruvian citizens for service in the Chilean army, and should they resist, they are cruelly mistreated and deported to the south of Chile; that Peruvian citizens are habitually assaulted in the public streets by Chilean roughs, no protection being accorded by the police to anyone of Peruvian nationality; that witnesses to the above are Alberto Palza Collao, Eduardo Jara Almonte, Filiberto Espinoza, Antonio Balcazar, Prudencio Aica, Julio Herrera and many other deportees; that his present address is Callao, Puno Street, No. 178. Deponent attaches hereto his identification card and vaccination certificates of himself and his family (4), issued by the Chilean authorities, as well as the vaccination certificate issued by the surgeon of the Pacific Steam Navigation Company, steamer *Ebro*, dated August 21, 1923.

(Signed)

FLORENCIO ALE GONZALES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 324

In Lima, January 12, 1924, Pedro Acevedo appeared, and after being duly sworn testified that: He is 43 years of age, married, a tailor by trade, born in Tacna and legally domiciled in the port of Arica, in possession of his baptismal certificate and inscribed in

the Civil Register of the province; that in the month of November, 1923, he was summoned by a police agent to appear before Captain Gandarillas of the Rancagua Regiment, which he at once did, going to the Prefecture where he was seen by the Prefect of Arica, Raviolli, who, on looking at his birth certificate, gave orders to have him put at liberty, but warned him that he would have to leave the port of Arica since he would not be responsible in case he remained, so that, in view thereof, he took passage on the steamer *Ortega*; that his family consists of his parents, his wife, and 5 children under age; that he has suffered the loss of his occupation which brought him in 400 pesos a month; that the internment by the Chilean authorities of Peruvian citizens is a fact to which deponent can testify, recalling the cases of Morris, Cuellar, Ponce and Angel Bras; that the abuses committed against Peruvian citizens are innumerable, to such an extent that they are compelled to leave their homes, their occupations and their interests completely uncared for and to seek safety in flight; that the youth are conscripted for service in the Chilean army, and on resisting, are cruelly ill-treated and deported to the Southern provinces of Chile; that witnesses to the above are Ricardo and Cesar Tellez, Elias Torres and Hinojosa; that his present address is Callao, Paita Street, No. 9. Deponent attaches hereto his vaccination certificate issued by the Chilean authorities.

(Signed) PEDRO ACEVEDO V.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 325

In Lima, January 12, 1924, Manuel Tellez appeared, and after being duly sworn testified that: He is 43 years of age, unmarried, a clerk, born in Tacna, and legally domiciled in Arica up to November, 1923, and subsequently in Iquique, inscribed in the Civil Register of the province and in the Chilean Military Register; that while in the port of Arica he was called to Iquique by Sr. Alfredo Loayza, to work in the San Antonio y Sofía nitrate works, returning 2 months later to Arica, but he was not allowed to land because he was a Peruvian citizen, and therefore, was compelled to remain on board, the police agent Vegas being stationed there to see that he complied, so that deponent was taken on to Mollendo on this same vessel, the *Ortega*; that his family consists of 8 persons; that, as is well known, Peruvian citizens are continually assaulted and persecuted in the public streets, are arbitrarily imprisoned,



tortured and deported, while the youth is conscripted for service in the Chilean army; that witnesses to the above are Ulloa, Concha, Mosquedá, and other deportees; that his present address is Callao. Paita Street, No. 9. Deponent attaches hereto the vaccination certificate issued by the surgeon of the Pacific Steam Navigation Company's vessel, *Oretga*, dated January 22, 1924.

(Signed) MANUEL TELLEZ.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 326

In Lima, January 12, 1924, Santiago Corrales appeared, and after being duly sworn testified that: He is 50 years of age, unmarried, a farmer, born in the valley of Lluta, district of Arica, and legally domiciled in the valley of Azapa; that on the 27th of January, 1923, he was arrested at the home of José Santa Maria, by 2 police agents called Valdez, who informed him he would have to follow them to Arica, and on deponent declining to do so, they bound him and took him by force to the barracks in Arica, cruelly ill-treating him on the way; that upon arrival at headquarters, he was told he would have to leave the territory immediately; he was then tied to a horse and taken to the River Sama by the officer, Luis Quiroz, and a police agent, and eventually reached Lima; that his family consists of his wife and 3 children under age; that he estimates his losses to be 5,000 pesos, as well as his earnings which were 450 pesos a month; that Chilean authorities have steadily interned Peruvian citizens, among whom he can mention the cases of Modesto, Sebastian and Juan de la Cruz Corbacho, and José Manchego; that, as is well known, Peruvian citizens are persecuted in every possible manner; they are abused and assaulted in the public streets, they are arrested arbitrarily, and so inhumanly treated when in police headquarters, that they are rendered unconscious, while the youth are conscripted for service in the Chilean army, or interned to distant points in Chile, no news reaching their families respecting their fate, as happened to the Reynoso brothers; that witnesses to the above are Emilio Salinas, Humberto Palza, Emilio Cornejo, Tomas Marquez, Emilio Trillo, Guillermo Legay, and in general, all the deportees; that his present address is Callao, Monteagudo Street, No. 183.

(Signed) SANTIAGO CORRALES.

(Signed) GALLAGHER Y CANAVAL.

### AFFIDAVIT No. 327

In Lima, January 12, 1924, Leonardo Caceres appeared, and after being duly sworn testified that: He is 29 years of age, unmarried, a clerk by occupation, born in Arica and legally domiciled therein all his life, in possession of his baptismal certificate and inscribed in the Civil Register of the province; that on the 17th of November, 1921, seeing that the Chilean authorities of Arica were arresting all citizens of Peruvian nationality and were pursuing deponent as an alleged delinquent under the Law of Recruits and Substitutes, he was compelled to leave his home and seek safety in flight, and after incredible hardships along the sea-shore and on foot, he was eventually able to reach the Peruvian port of Ilo, whence he took passage for Callao on the steamer *Mantaro*; that his family consists of his sister who has remained in Arica, and a cousin who is at present in Lima, having likewise been expelled by the Chilean authorities; that the Chilean authorities have interned numbers of Peruvian citizens, being able to personally testify to the cases of Daniel Ortuño, Juan Vascope, and many others whose names he does not know because they are denizens of the outlying districts; that, as is well known, the Chilean authorities ceaselessly persecute all Peruvian citizens, conscripting young men for service in the Chilean army and arresting and taking the old men to Copiapó and Atacama, where they are abandoned and left to exist as best they can, facts which are all well known in Tacna and Arica; that his present address is Lima, Arequipa Street, No. 664.

(Signed)	LEONARDO CACERES.
(Signed)	GALLAGHER Y CANAVAL.

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### AFFIDAVIT No. 328

In Lima, January 12, 1924, Julio Salvador Oliveros appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a clerk by occupation, born in Arica and legally domiciled in Tacna since 1905, and previous to that in Arica; in possession of his baptismal certificate and inscribed in the Civil Register of the province; that upon being pursued by the police agents of Tacna for service in the Chilean army, notwithstanding his Peruvian nationality, he was compelled to go in hiding and so managed to escape overland to the Peruvian frontier of Sama on the 2nd of November, 1923, subsequently proceeding to Lima; that his family consists of his mother and 5 brothers



under age who have remained in Tacna; that deponent has suffered the loss of his occupation which brought him in 80 pesos a month; that he can testify to the fact of the deportations by the Chilean authorities, among the deportees of whom he knows he can mention the cases of Quintana, Garay, Quelopana, Albarracin and many others; that Peruvian citizens are ceaselessly molested and even assaulted in the public streets by the soldiers of the Chilean army and the police agents, night time being usually chosen for these abuses, no respect for age or sex being shown; that the correspondence addressed to Peruvians is habitually violated in the post offices and that Peruvian farmers are deprived of their crops and the water to which they are entitled for irrigation purposes; that witnesses to the above are Zenon and Carlos Soto, Humberto Rospigliosi, Guillermo Liendo and in general, all the deportees; that his present address is Lima, Monserrate Street.

(Signed) JULIO SALVADOR OLIVEROS.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 329

In Lima, January 12, 1924, Fermin Caceres Zevallos appeared, and after being duly sworn testified that: He is 29 years of age, married, a merchant, born in Tacna and legally domiciled therein, in possession of his baptismal certificate and inscribed in the Civil Register of the province; that in the month of November, 1923, he was notified by the Chief of the Secret Service, Manuel Barahona, under orders from the Deputy Prefect, Enrique Vargas Rojas, to evacuate the territory as soon as possible in case he refused to serve in the Chilean army; that on the 22nd of November, as he had failed to comply with these instructions, he was arrested and imprisoned for 8 days in a cell at police headquarters, but owing to the efforts made by his family, he was finally released, though on condition that he immediately leave the city, which he did, on the 6th of December, taking passage on the steamer *Huasco* for Callao; that his family consists of his parents and 5 brothers under age, of his wife and a young son; that he estimates his losses to be 6,000 pesos, and his earnings which were 500 pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens in divers places south of Arica, among whom he can mention Linares, Albarracin, Espejo, Vildoso, Zevallos, Molina and many others

whose names he does not recall. Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens of Tacna and Arica, such as the personal inspection made by Manuel Barahona and his agents, of the surrounding countryside of Tacna, together with a quantity of trucks for the purpose of rounding up the Peruvian youths, who were apprehended at their work and even in their private homes and taken to police headquarters by night and shipped to Copiapó and Atacama, from the port of Arica; the continual aggressions against all Peruvian citizens, with no distinction for sex or age, going to the extreme of even assaulting foreigners who attempt to protect Peruvians, as occurred with a French citizen, Carlos Metraud, who was so persistently persecuted that he eventually was compelled to leave the city for Santiago de Chile, where he died shortly afterwards; that witnesses to above are Valeriano Ramos, Tomas Rivera, Alfredo Sagredo, Juan Zapata, Antonio Cancino and all the recently deported from Tacna and Arica; that his present address is Lima, Santa Ana Street.

(Signed)

FERMIN CACERES Z.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 330

In Lima, January 12, 1924, Gabriel Ramos appeared, and after being duly sworn testified that: He is 29 years of age, unmarried, a farmer, born in Arica and legally domiciled in the valley of Lluta, district of Arica, and inscribed in the Civil Register of the province; that as he was being pursued by the Chilean authorities to compel him to effect his military service in the Chilean army, notwithstanding his Peruvian citizenship, he was compelled to take passage on the steamer *Ebro* on the 11th of December last, for Mollendo, whence he took the steamer *Urubamba*, to Callao, together with many of his fellow-countrymen who were in the same condition as deponent; that his family consists of 3 brothers and a sister, all under age, in common with whom he owns a farm in Lluta worth 5,000 pesos; that he estimates his losses to be 1500 pesos, and his earnings which were 7 pesos a day; that it is true that the Chilean authorities have deported numbers of Peruvian citizens, among whom he can mention his brother, José Ramos, who was arrested and deported to Copiapó and of whom no news has ever been received; and in



addition to his brother he can mention the cases of Sebastian Corbacho, Zamudio, Molina, Cornejo and many others whose names he cannot recall; that young Peruvians are compelled to register in the Chilean Military Register, and should they refuse to do so, they are arrested and conscripted; that Peruvian farmers are deprived of the water to which they are entitled by law for the irrigation of their crops, while it is a well known fact that all Peruvian citizens, with no distinction for sex or age, are cruelly persecuted and abused until they decide to forsake the land of their birth; that witnesses to the above are Alejandro Huanachi, Eulogio García, and all the recent deportees; that his present address is Lima, Santa Ana Street.

(Signed) GABRIEL RAMOS.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 331

In Lima, January 13, 1924, Ernesto Toro Lopez, appeared, and after being duly sworn testified that: He is 40 years of age, married, a merchant, born in Tacna and legally domiciled in the city of Tacna and inscribed in the Civil Register of the province; that on the 26th of July, 1920, he was summoned to appear before the Commissioner of the city of Tacna, Enrique Vargas Rojas, at the same time as other fellow-citizens, Julio and Ignacio Zevallos; that upon appearing before the official, he was informed that he would be given 48 hours to leave Tacna, and upon inquiring as to the reason for this sudden expulsion, they were informed that they were undesirable and pernicious individuals; that upon protesting against this uncalled-for designation, they were informed that, wherever they went they would be expelled by the Chilean Government; deponent represented to the official that he was a well-known merchant in the province, that he was the secretary of the Commercial Association of which Sr. Juan Bollo, an Italian subject, was President, and that he was well known by all the business men of Tacna, as an honest and law-abiding citizen, so that the term "pernicious" could hardly apply to him, but nevertheless, he was compelled to leave the city of Tacna on the 28th of July of that same year for Locumba, whence he eventually reached Lima; that his family consists of his wife and a sister who are still in Tacna; that he owns a house and a business establishment in Tacna worth 30,000 pesos; that he estimates his losses to be 15,000 pesos, as well as his earnings which were 500

pesos a month; that it is true that the Chilean authorities have interned considerable numbers of Peruvian citizens, though as most of these are from the outlying districts, he cannot give their names, recalling, however, the case of Adolfo Cortavitarte of Tacna. Deponent then recites the various measures of oppression and persecution instituted by the Chilean authorities against Peruvian citizens of Tacna and Arica; the activities of the Patriotic League instigated by its President, Armando Holley, which organized meetings for the purpose of devising new means of persecution against Peruvian citizens, and hiding its identity under the name of "Association of Commercial Employees of Tacna," although, in reality, its purpose was merely the spreading of alarm among the inhabitants through its meetings, its continual denouncements to the police of the residences of young Peruvians of military age, and the assaults and raids to secure the persons of these men, so that, many families were surprised, during the late hours of the night, by the invasion of their domiciles by the police for the purpose of apprehending their young relatives, or with the excuse of searching for alleged citizens who were in hiding, as happened with Sr. Julio Zevallos, whose house was searched without a search warrant, of which fact Mr. Cameron, the American Consul in Tacna, was duly informed at the time; that witnesses to the above are Julio and Ignacio Zevallos, J. J. Vildoso and Agustin Villanueva; that his present address is Lima, Capon Street, No. 799. Deponent attaches hereto the statement of his account with Messrs. Canepa & Company of Tacna, dated July 27, 1923, showing liabilities 1819 pesos, 08 cents, as well as their letter of advice enclosing the same.

(Signed) E. TORO L.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 332

In Lima, January 14, 1924, Luis Lanchipa appeared, and after being duly sworn testified that: He is 40 years of age, married, a tailor by trade, born in Arica and legally domiciled therein all his life; that on the 10th of July, 1923, he was notified by the police agent, Valdez, to immediately appear before the Prefect of Police, and upon complying with this order, he was informed by that official that he would have to leave Arica within 8 days, and upon the expiration of the time-limit he had to appeal to Sr. Yanulaqui, a foreign business man, to intercede on his behalf



and obtain an extension of 15 days so as to be able to wind up his affairs, at the end of which he took passage for Callao; that his family consists of his wife and a son under age; that his damage consists in the sudden loss of the business which he had built up and which brought him in 400 pesos a month; that he can testify to the deportation by the Chilean authorities of young Peruvian citizens, among whom he can mention the cases of Juan Cornejo, Lizardo Canales, Godofredo Prado, Thomas Molina, Fortunato Salazar, and many others from the districts of Tacna and Arica; that Peruvians are forbidden to exercise their professions or trades; they are assaulted in their persons and their homes and business places raided and destroyed by mobs of soldiers and police agents, who act with no restraint in the full knowledge that they will not be proceeded against, so that the lives of all Peruvians are rendered absolutely unbearable; that witnesses to the above are Mariano Focacci, Francisco Florez, Adrian Balcazar, and all the recent deportees from Arica; that his present address is Callao, Necochea Street, No. 52.

(Signed)                      LUIS LANCHIPA.

(Signed)                      GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 333

In Lima, January 14, 1924, Daniel Gongora appeared, and after being duly sworn testified that: He is 25 years of age, married, a clerk by occupation, born in Arica and legally domiciled therein all his life, and inscribed in the Civil Register of the province; that on the 13th of October, 1923, he was notified by police agent, Valdez, acting on orders from the Governor of Arica, that he would have to leave the city within 15 days, and upon deponent protesting to the Governor against this expulsion, and that he had no means with which to undertake a sudden journey of this kind, he was informed by the official that he would then be deported to the south of Chile, but being aware of the persecution suffered by his fellow-citizens in similar instances, he managed to take passage on the steamer *Oriana* for Callao; that his family consists of his wife and 2 children under age, who have joined deponent in Callao; that the damage suffered by deponent consists in the loss of his occupation which brought him in 300 pesos a month; that it is true that the Chilean authorities have interned young Peruvians to the south of Arica, among whom he remembers the cases of Godofredo Bravo, Lizardo Corbacho, Juan Cornejo,



Ismael Marquez, José Manchego, Angel Tapia, Angel Bras, Rafael Ordoñez, and many others whose names he cannot mention because they proceed from the outlying districts; that Peruvians are arbitrarily dismissed from their occupation, merely on account of their nationality; that Peruvian citizens are not allowed to do business in the market place, while the Real Estate Registrar is inscribing all property, as belonging to the city, which the Peruvian owners have been compelled to leave uncared for, owing to their sudden and arbitrary expulsion by the authorities; that witnesses to the above are Mariano Focacci, Francisco Florez, Adrian Balcazar, and all the recent deportees from Arica; that his present address is Callao, Union Street, No. 147. Deponent attaches hereto, his vaccination certificate issued by the Chilean authorities.

(Signed)

DANIEL GONGORA.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 334

In Lima, January 14, 1924, Adolfo Gil appeared, and after being duly sworn testified that: He is 66 years of age, married, a farmer, born in Tacna and a resident of the city of Tacna up to 1922, and subsequently in the valley of Lluta; that on the 10th of April, 1923, he was notified by the police agents, Valdez, and Lauquen, to appear before the Prefect of Police of Arica, Marcial Drago, who, enjoined him in the strictest manner, to leave the territory within 15 days, but that as deponent had not the wherewithal to undertake this journey, and so as to put the authorities off his track, he left for Tacna on the following day where he remained in hiding on one of his farms in Pachia, up to the 15th of October of that same year, when he returned to Arica, but on leaving the train he was recognized by the Secret Service Agent, Montesinos, who grossly abused him and haled him before the Governor of Arica, who inquired with regard to deponent's sons and was told that they were in Peru, whereupon deponent was conducted to a cell and kept two days in confinement, and only released upon the petition of several residents of Arica, upon the condition that he would leave Arica at once, which he did, taking passage for Callao; that his family consists of his wife and 6 sons who were likewise expelled; that he owns a farm and a house in the town of Pachia, worth 12,000 pesos, which are rented to a Chilean citizen who refuses to pay



any rent; that he estimates his losses to be 6,000 pesos and his earnings which were 350 pesos a month; that he can testify to the violent expulsions carried out by the Chilean authorities, and he knows personally of the cases of the brothers José, Mariano and Rosendo Nacarino, who were seized in their home by the Secret Service Agent, Manuel Barahona, and put aboard ship in Arica, but that on the entreaties of their mother, they were set at liberty upon the payment to the said Barahona of the sum of 300 pesos; that he personally witnessed the shipment to the south of Chile of Angel Bras, Alejandro Colque, Pastor Flores, and a considerable number whose names he does not recall; that as is well known Peruvian citizens are grossly ill-treated and persecuted for no reason whatever, their trade licenses are canceled or not renewed so as to prevent them from engaging in any business occupation, while all the young men are compelled to flee to escape the obligation of serving in the Chilean army, all the above measures against Peruvian citizens by the Chilean authorities being common both to Tacna and to Arica; that witnesses to the above are Francisco Ale, Julio A. Gomez, Armando Sanchez, and all the recent deportees; that his present address is Callao, Puno Street, No. 160. Deponent attaches hereto his identification card issued by the Chilean authorities and his passport, dated the 15th of October, 1923, granted by the Bolivian Consul in Arica.

(Signed) ADOLFO GIL.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 335

In Lima, January 14, 1924, Ruben Chavez appeared, and after being duly sworn testified that: He is 24 years of age, unmarried, a clerk by occupation, born in Tacna which is his legal domicile and where he has resided all his life; in possession of his baptismal certificate, inscribed in the Civil Register of the province and in the Military Register of Peru; that on the 8th of July, 1919, he was notified by the Police Agent Rojas, of Tacna, in the name of the Intendente of the province, that owing to his Peruvian nationality he would have to leave the territory within 5 days; that before the expiration of this time-limit, and knowing that he was exposed to forcible conscription in the Chilean army, he decided to escape to the provisional frontier of Sama, whence he eventually reached Lima; that his family consists of his mother, 5 brothers and 8 nephews, all under age, who, owing to the persecution suffered

by them, were compelled to leave the city of Tacna, and are at present in Sama; that in common with the members of his family he is the owner of a piece of real estate worth 8,000 pesos; tha the estimates his losses to be 1,200 pesos, as well as his earnings which were 200 pesos a month; that he can testify to the fact that Peruvian citizens are cruelly mistreated, with no distinction for sex or age, in the public thoroughfares and in private homes, by members of the Chilean police and public officials and by the soldiers and officers of the garrison, no redress being obtainable against such abuses; that the Peruvian farmers are deprived of their crops and of the water for the irrigation of their lands to which they are entitled by law, and they are prevented from lodging any complaint against such arbitrary proceedings for fear of the reprisals which they would draw down upon themselves; that witnesses to the above are Ricardo Tellez, Julio Forero, Nicanor Chiarella, Justo Marina and José Arenas; that his present address is Lima, Washington Street, 284.

(Signed)

RUBEN CHAVEZ.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 336

In Lima, January 14, 1924, Angel Rios appeared, and after being duly sworn testified that: He is a farmer, 45 years of age, married, born in the valley of Azapa, and legally domiciled in Azapa; that the civil authority of Azapa, Emilio Aremenei, called at deponent's domicile to notify him that he would have to register his son John in the Chilean Military Register, to which deponent demurred, stating that his son was a Peruvian citizen, so that from that date on, he was continually persecuted as was his son, by the authorities, to such an extent that he was finally compelled to abandon his home and take passage on the steamer *Urubamba*, on the 10th of October, 1919, for Callao; that his family consists of his wife and 9 children; that his damage consists in 12,000 pesos, as well as his earnings which were 600 pesos a month; that Chilean mobs, with the protection of the authorities, set fire to his house in the valley of Azapa, by which deponent lost all its contents and furniture; that the Peruvian farmers had to suffer the continual trespass over their land of bands of Chilean citizens, who took possession of what they pleased and destroyed what they could not carry along; that they are also deprived of the water



while all the holders of the market stands have been summarily dismissed and their places given to Chileans recently arrived from Chile; that witnesses to the above are Emilio Salinas, Tomas Marquez, Luis Belaúnde and Pedro Pescetto; that his present address is Callao, Union Street, No. 212. Owing to deponent's inability to sign, he requested the Judge to do so in his stead. The present deposition having been read to deponent, he ratifies it in all its parts.

(Signed)

LAOS GONZALES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 337

In Lima, January 14, 1924, Ernesto Gil Palza appeared, and after being duly sworn testified that: He is 33 years of age, married, an upholsterer by trade, born in Tacna, legally domiciled in Arica, and inscribed in the Civil Register of the province; that upon being informed by a relative that he had good reason to know from Chilean sources, that deponent's name appeared on the lists of those who were to be arrested and deported to Arica for the purpose of serving in the Chilean army, and as he was only too well aware of the methods employed by the authorities to carry out such measures, he decided at once to take passage for the Peruvian port of Ilo, leaving Arica on the 6th of December, 1923; that his family consists of his wife, 4 children under age, and his mother-in-law; that deponent's losses amount to 4,000 pesos, the contents of his home, and his earnings which were 11 pesos a day; that he can testify to the deportations which have been effected by the Chilean authorities, knowing personally of the cases of Santos Franco, Pastor F. Flores, Angel Bras, Carlos Bras, Miguel Castro, Eraclio Salas, Raul Ordoñez, Ramon Colque, Juan Ara, Cosme Gonzalez, Miguel Castro, Alejandro Colque, Gerardo Espinoza, Juan Cuadros, Roberto Ramos, Gerardo Morris, Benito Ortiz, Francisco Valle, Armando Acevedo, Lisardo Canales, Aquilino Zarate, Bernardo Maldonado, José Manuel Gutierrez, Juan Santos Gambeta, Andres Gandolfo, Humberto Andia, Juan Zavala, Benjamin Solis, Roberto Lanchipa, Tomas Villarroel, Luis Soto, Manuel Rejas, Juan Gonzalez and Luis Cañipa; that Peruvians are grossly ill-treated and even flogged until they faint, and sometimes carrying the consequences to their graves or are rendered useless for life, as happened with Juvenal Lagos, Guillermo Carlos and Jorge Acevedo, while all young men are actively pursued,

to which they are entitled by law for irrigation of their fields, taken from their homes, imprisoned at police headquarters and shipped south of Arica for service in the Chilean army; that witnesses to the above are Emilio Salinas, Florencio Ale, Luis and David Celada, Rodolfo Palza Gil; that his present address is Callao, Puno Street, No. 160. Deponent attaches hereto his vaccination certificate issued by the Chilean authorities, and owing to his inability to sign, he requests the Judge to do so for him. The present deposition having been duly read to deponent, he ratifies it in all its parts.

(Signed)

LAOS GONZALEZ.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 338

In Lima, January 14, 1924, Luis Zelada appeared, and after being duly sworn testified that: He is 67 years of age, a farmer, married, born in Candarave, legally domiciled in Arica and inscribed in the Military Register of Peru; that on the 5th of November, 1922, he went to Lima for the purpose of placing his son, David, at school, owing to the persecution which the latter was suffering from the Chilean authorities, but on his return he was surprised to find that he was not allowed to land, owing to the persecution of Peruvian citizens which was then in all its fury, so, he was compelled to return to this city; that his family consists of his wife and a son; that he owns a piece of real estate in Arica and a farm in Tacna, worth 15,000 pesos; that he estimates his losses to be 3,000 pesos, and his earnings which were 150 pesos a month; that the persecution of Peruvian citizens is general, widespread and constant; they are arbitrarily arrested, tortured, excessively fined, forbidden to engage in any occupation, trade or profession, and forcibly deported to the south of Arica, as occurred with Lacunza and José Flores; that witnesses to the above are Julio Gomez, Emilio Salinas, Santiago Corrales, and several others; that his present address is Callao, Montezuma Street, No. 270. Owing to deponent's inability to sign, he requests the Judge to do so for him. The present deposition having been read to deponent, he ratifies it in all its parts.

(Signed)

LAOS GONZALES.

(Signed)

GALLAGHER Y CANAVAL.



### AFFIDAVIT No. 339

In Lima, Jnuary 14, 1924, Agustin Velarde appeared, and after being duly sworn testified that: He is 39 years of age, unmarried, a printer, born in Tacna and legally domiciled therein; that upon being advised by a Chilean friend called Roman, that police agents were looking for him to ship him south, and as he had been dismissed from the press-room of the newspaper "*El Pacifico*" of Tacna, and as he could secure no other work, owing to the orders issued by the Chilean authorities to all business firms, he was compelled to take passage on the steamer *Essequibo* on the 8th of January, 1924, arriving at Callao on the 11th of the same month; that his family consists of his mother and 5 brothers; that he was suffered the loss of his position which brought him in 300 pesos a month; that it is true, and he can testify to the fact that Peruvians have been deported by the Chilean authorities, because police agents, after 2 in the morning, habitually raid the homes of young Peruvians, taking them prisoners with hardly sufficient time to don their clothes, immediately taking them to headquarters and shipping them south, as occurred to his friend, Nicolas Tovar, Manuel and José Pizarro, Zuñiga, Pastor Flores, José Rosas, and Guzman; that the police agent, Manuel Barahona, was the principal instigator of these attacks on the domiciles and business establishments of Peruvian citizens, having under his orders a mob of the worst and most disorderly Chilean characters, who constantly and on every opportunity, molest and assault the Peruvian denizens, with no consideration for sex or age; that witnesses to the above are José Velarde, Rosario Lanchipa and all the recent deportees; that his present address is Callao, North Arequipa Street, No. 50. Deponent attaches hereto his identification card and vaccination certificate issued by the Chilean authorities, the latter impressed with the stamp of the Pacific Steam Navigation Company dated January 8, and he also attaches hereto the counterfoil of his passage on the steamer *Essequibo*, No. 13160.

(Signed)

AGUSTIN VELARDE, R.

(Signed)

GALLAGHER Y CANAVAL.

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### AFFIDAVIT No. 340

In Lima, January 14, 1924, Bernardino Velasquez appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a soldier, born in Arica which is his legal domicile and

where he has resided all his life, and inscribed in the Military Register of Peru; that in the beginning of October, 1923, and being actively pursued by the Chilean authorities to oblige him to serve in the Chilean army, he was compelled to escape on foot to the provisional frontier of Sama on the 4th of that same month, together with several other fellow-countrymen, and eventually reaching Ilo where they were able to take passage on a German steamer for Callao; that his family consists of his mother and 2 sisters who have remained in Arica; that in common with his sisters he is the owner of a farm in Azapa, worth 5,000 pesos; that deponent's losses include his position which brought him in 150 pesos a month; that he can testify to the deportation of Peruvian citizens, among whom he can mention Modesto Corbacho, Humberto Giron and Luis Cañipa; that all Peruvian citizens are grossly abused and even maltreated in the public thoroughfares, their houses are raided and the contents carried off by the raiders, who proceed with complete impunity, fully protected by the police authorities; that witnesses to the above are Isidro, Eloy, Anacleto and Antonio Valuarte, and Andres Rios; that his present address is Callao, Coast Artillery Regiment, Jorge Chavez Street.

(Signed) BERNARDINO VELASQUEZ.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 341

In Lima, January 14, 1924, Gregorio Herrera appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a clerk by occupation, born in Arica and legally domiciled in the port of Arica, and inscribed in the Civil Register of the province; that being pursued by the Chilean authorities for conscription in the Chilean army as an alleged delinquent under the Law of Recruits and Substitutes, and having a vivid recollection of the fate suffered by others of his fellow-countrymen who were similarly pursued, he was compelled to leave the port of Arica, taking passage on the steamer *Orcoma* on the 10th of November, last, for Callao; that his family consists of his parents and 3 brothers under age; that in common with his family, he owns a farm worth 2,000 pesos; that his losses include his position which brought him in 250 pesos a month; that he can testify to the fact that the Chilean authorities have deported Peruvian citizens, since his brother-in-law, Manuel Osorio, was so deported, as well as Modesto Corbacho, Angel Bras and Santos Franco; that Peruvian citizens are continually and persistently abused and



assaulted in the streets and public places, such as the cafes, the theatres, and social centers, so as to compel them to evacuate the territories and abandon their homes; they are dismissed from their positions and are unable to find work, through the measures taken by the authorities; that witnesses to the above are Emilio Salinas, Valerio Colque, Juan Lanchipa, and in general, all the Peruvian deportees; that his present address is Callao, Union Street.

(Signed) GREGORIO HERRERA.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 342

In Lima, January 14, 1924, Manuel Vildoso appeared, and after being duly sworn testified that: He is 31 years of age, unmarried, a tailor by trade, born in Tacna and legally domiciled in Arica; that in the month of March, 1923, he was notified by the Secret Service Agent, Montesinos, to appear at Court, and when there he was informed that he would be given 20 days to register in the Chilean Military Register, which he declined to do on account of his Peruvian nationality, but he was, nevertheless, informed that he would have to do as he was bidden within the stated time, and that under these circumstances, and fearful of the fate in store for him, he was compelled to start on foot for Locumba, and thence to Ilo where he managed to secure passage on the steamer *Urubamba* on the 27th of April, 1923; that his family consists of his father and 8 brothers; that his damages include the loss of his business which he had built up, worth 1,800 pesos, and which brought him in 300 pesos a month; that deponent can testify to the deportations effected by the Chilean authorities and mentions the names of Sebastian Corbacho, Leoncio Alay and the Reynoso brothers; that the Peruvian citizens are kept in a continual state of alarm and terror by the activities of the Chilean Patriotic League, whose disorders are openly protected by the police, while the farmers of Peruvian nationality have to suffer the continual inroads of Chilean citizens and disorderly characters upon their land, with the resultant loss of their crops, fruit and cattle; that witnesses to the above are Rodolfo, Victor and Ernesto Gil, Emilio Salinas, Santiago Corrales and in general, all the deportees; that his present address is Callao, Cuzco St., No. 152.

(Signed) MANUEL VILDOSO.

(Signed) GALLAGHER Y CANAVAL.



### AFFIDAVIT No. 343

In Lima, January 14, 1924, Augusto Fernandez appeared, and after being duly sworn, testified that: He is 23 years of age, unmarried, a clerk by occupation, born in Arica and legally domiciled therein; in possession of his baptismal certificate, inscribed in the Civil Register of the province and in the Military Register of Peru; that a number of police agents summoned him to appear at police headquarters as an alleged delinquent under the Law of Recruits and Substitutes, so as to compel him to effect his military service; that upon deponent alleging his Peruvian nationality, he was threatened and told that he would have to leave the territory on the penalty of the greatest dangers to himself and his family, so that deponent was compelled to take passage on the steamer *Huasco* for Callao, in January, 1920; that his family consists of 3 brothers, in common with whom he owns 5 pieces of real estate worth 40,000 pesos; that the damage suffered by deponent consists in the loss of his occupation which brought him in 100 pesos a month; that the continual persecution of Peruvian citizens through the activities of the Patriotic League is a general well-known fact and is common knowledge, to which Filiberto Andrade, Emilio Salinas, and Sebastian Linares, can likewise testify; that his present address is Callao, Loreto Street, No. 149.

(Signed)

A. FERNANDEZ.

(Signed)

GALLAGHER Y CANAVAL.

### AFFIDAVIT No. 344

In Lima, January 14, 1924, Teodoro Suarez appeared, and after being duly sworn testified that: He is 22 years of age, unmarried, a baker by trade, born in Tacna, legally domiciled in Arica and inscribed in the Civil Register of the province; that on the 3rd of October, 1923, in company with several of his fellow-countrymen who were all being actively pursued by the Chilean authorities, and fearful of being arrested, he left by night and on foot for the port of Ilo, where he managed to take passage on the steamer *Huallaga*, landing in Callao on the 31st of December of that year; that his family consists of his father and 6 brothers; that the damage suffered by deponent consists in the loss of his occupation which brought him in 17 pesos a day; that he can testify to the deportations effected by the Chilean authorities, and to the cases of Eulogio Jimenez, José Alay, Modesto Corbacho, Pastor Florez,



Santos Franco, Alejandro Colque, Angel Bras, Benjamin Solis, Armando Acevedo and Juan Cuadros; that the Peruvian citizens are consistently persecuted, they are denied the right to work through the arbitrary withdrawal of their trade licenses and the orders given to all business firms not to employ them, and they are denied, by the authorities, all the guarantees of safety usual in civilized countries; that witnesses to the above are Francisco Flores, Oswaldo Jimenez, Hipolito Florez, Juan Lanchipa, Juan Manuel Maldonado; that his present address is Callao, Marco Polo Street, No. 148, Apartment 24.

(Signed)

TEODORO A. SUAREZ.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 345

In Lima, January 14, 1924, Julio Cutipa appeared, and after being duly sworn testified that: He is 18 years of age, a soldier, unmarried, born in Arica and domiciled in the valley of Azapa; inscribed in the Civil Register of the province and in the Military Register of Peru; that at the end of October, 1923, he was actively pursued by the Chilean police to compel him to register in the Chilean Military Register and effect his military service in the Chilean army, to which he could not bring himself owing to his Peruvian nationality, so that to avoid the consequences of his failure to comply with the orders of the authorities, he was compelled to escape on foot to Moquegua, and later to Ilo, from which port he took passage on a German steamer for Callao; that the damage suffered by deponent consists in the loss of his position which brought him in 5 pesos a day; that it is a well known fact that the Chilean authorities have interned countless numbers of Peruvian citizens to the south of Arica, while, on passing the frontier, deponent wishes to state that the Chilean carbineers took from him all his personal effects and papers, to which the following can testify: Luis Jimenez, Miguel Tapia, Pablo Pimentel, Lino Velasquez; that his present address is Callao, the War Arsenal. Owing to deponent's inability to sign, he requests the Judge to do so for him. The present deposition having been read to deponent, he ratifies it in all its parts.

(Signed)

LAOS GONZALEZ.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 346

In Lima, January 14, 1924, Benedicto Velez appeared, and after being duly sworn testified that: He is 19 years of age, unmarried, a soldier, born in Arica and legally domiciled in the valley of Azapa; inscribed in the Civil Register of the province, and in the Military Register of Peru; that one night in October, 1923, being actively pursued by the Chilean authorities for conscription in the Chilean army, he fled overland to Sama, in company with several fellow-countrymen, whence he eventually reached Callao; that his family consists of his mother and 2 brothers under age; that he owns a farm worth 2,000 pesos, and that he can testify to the deportation of Peruvian citizens by the Chilean authorities, knowing of the cases of Pedro, Cosme and Urbano Zavala, and Manuel Tapia; that Peruvian citizens are arbitrarily apprehended in the public thoroughfares, stripped of their belongings and grossly ill-treated at police headquarters, and all their correspondence violated in the post offices; that witnesses to the above are Bernardino and José Velasquez, Julio Orosco, Hipolito Flores, and Teodoro Suarez; that his present address is Callao, War Arsenal. Owing to deponent's inability to sign, he requests the Judge to do so for him. The present deposition having been read to deponent, he confirms it in all its parts.

(Signed)

LAOS GONZALES.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 347

In Lima, January 14, 1924, Sebastian Linares appeared, and after being duly sworn testified that: He is 40 years of age, unmarried, hairdresser by trade, born in Arica and legally domiciled therein, in possession of his baptismal certificate, inscribed in the Civil Register of the province and the Military Register of Peru; that in the month of February, 1919, he was notified by the police officer, Bastias, under orders of the Governor, Luis Arteaga, to leave the territory of Arica or he would be violently expelled; that owing to these threats he took passage on the steamer *Peru* and arrived at Callao on the 4th of March, 1919; that he is the owner of a house in Arica worth 4,000 pesos; that deponent's losses, owing to having been obliged to lose the business which he had worked up, amount to 10,000 pesos; that all Peruvian tradespeople



and business men are molested when their establishments are not attacked and wrecked, as happened with deponent whose barber shop was raided and the contents dispersed and taken, and he mentions the case of Adrian Gonzalez, confectioner, who had his shop completely wrecked, and the same happened to the shoe store belonging to Filiberto Andrade, and to Vicente Tara's hairdressing parlors which were likewise destroyed, while Ernesto Fouché had his business establishment attacked and looted, all the foregoing the result of activities of the Chilean Patriotic League; that witnesses to the above are Augusto Fernandez, Emilio Salinas, Ricardo Cornejo, Filiberto Andrade, and all the deportees from Tacna and Arica; that his present address is Callao, Castilla Street, No. 162.

(Signed)

SEBASTIAN LINARES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 348

In Lima, August 17, 1923, Francisco Vicente Gomez Flores appeared, and after being duly sworn testified that: He is 46 years of age, married, a merchant, born in Tacna and legally domiciled in the City of Tacna; that on the 10th of January, 1922, he was summoned to appear before the Prefect of Police of Tacna, Florentino Herrera, and was told that he would have to leave the territory within 8 days, according to instructions from superior quarters; that deponent then petitioned the Intendente of the province, Barcelo Lira, who granted him, after much difficulty, an extension of 8 days, so that he could wind up his affairs and that, on the expiration of this term he took passage on the steamer *Huasco* for Mollendo, together with several other deportees; that his family consists of his wife and 6 children under age who were obliged to follow deponent; that deponent owns 2 pieces of city real estate and 1 in the country worth 16,000 pesos, and also owned a restaurant business and a saloon worth 3,000 pesos, while his wife owns stocks and has shares in different business establishments and real estate in Tacna, worth from 19,000 to 20,000 pesos; that the property above mentioned is rented but it has been found impossible to collect the income therefrom since, owing to the special conditions obtaining in the provinces of Tacna and Arica, no one can be found willing to undertake to represent deponent; that his losses are 6,000 pesos, as well as his earnings which were

400 pesos a month; that both the Intendente, Orrego Ovalle, and Fernando Edwards, required him to sign declarations containing an opinion as to the advisability of the provinces remaining definitely in the possession of Chile, and also to the effect that he would vote for Chile in case of a plebiscite, to both of which deponent declined to accede. Deponent confirms the fact of the various measures of hostility directed by the Chilean authorities against Peruvian citizens; the arbitrary fines they are required to pay, and the unnecessary improvements they are compelled to effect on their property; that witnesses to the above are Rosario Bustos, Luis Dubayle, Alfredo Vaccaro, Teofilo Salgado, and many others whose names he cannot recall; that his present address is Lima, Lince Plantation. Deponent further testifies that, when in Arica and about to take the steamer, he called on the American Consul, in company with Luis Dubayle and Teofilo Salgado, and that this official, after listening to their remarks, stated that he had taken note of their declarations.

(Signed)

FRANCISCO V. GOMEZ F.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 349

In Lima, January 15, 1924, Dionisio Delgado appeared, and after being duly sworn testified that: He is 31 years of age, married, a tailor by trade, born in Arica and legally domiciled therein all his life, and inscribed in the Military Register of Peru; that owing to the constant persecution suffered by Peruvian citizens, and deponent having been sentenced to serve in the Chilean army as an alleged delinquent under the Law of Recruits and Substitutes, and so as to escape the attacks, which were continually being carried out by the disorderly characters of the town, instigated by the authorities, he decided to leave the territory for Callao, taking passage on the steamer *Peru* on the 6th of February, 1920; that his family consists of his wife, his mother, 6 brothers and 2 sons, all under age, who were compelled to leave Arica since they were dependent for their support upon deponent, and had likewise been included among the measures of hostility suffered by the rest of the community; that deponent's damage consists in the loss of his business which he had built up, and which brought him in 200 pesos a month; that the Chilean authorities allowed and even



encouraged, the constant persecution against the Peruvians, who are not allowed to engage in any trade or occupation for the want of the necessary licenses, which are refused them, their places in the market have been taken from them and given to Chilean citizens, and even the Trade Guilds have expelled from the rosters the names of all Peruvian tradesmen; that witnesses to the above are Emilio Salinas, José Trillo, José Velarde, Dionisio Gutierrez, Vicente Nuñez, and all the deportees from Tacna and Arica; that his present address is Callao, Piura Street, No. 125.

(Signed) DIONISIO DELGADO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 350

In Lima, January 15, 1924, Vicente Nuñez appeared, and after being duly sworn testified that: He is 32 years of age, married, a merchant, born in Arica and legally domiciled therein all his life, inscribed in the Civil Register of the province and in the Military Register of Peru; that on the 20th of December, 1921, he was summoned by the Secret Service Agent, Evaristo Valdez, to give up his stall in the market place of Arica, and also to leave the city, owing to his Peruvian nationality, according to the orders of the Governor, Renato Valdez; that deponent, to put the Chilean authorities off the track, went to Tacna where he remained in hiding several months, but having been obliged to return to Arica on business matters, he was recognized by the same police agent and threatened with arrest and deportation, so that he decided to take passage on the steamer *Aysen* for Callao on the 9th of April, 1922; that his family consists of his wife and 6 children under age; that his losses amount to 5,000 pesos and his earnings which were 400 pesos a month; that the Chilean authorities have steadily interned Peruvian citizens, among whom he can mention the case of Honorio Valdivia, a denizen of Arica; that all Peruvian stallholders in the market have had their licenses taken away and have been deprived of their stalls, while it is a well known fact that Peruvians are daily assaulted in the streets and public thoroughfares and can secure no protection from the police; that witnesses to the above are Emilio Salinas, Dionisio Delgado, José Trillo, and many other deportees; that his present address is Callao, Paita Street, No. 125.

(Signed) VICENTE NUÑEZ.

(Signed) GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 351

In Lima, January 15, 1924, José Trillo appeared, and after being duly sworn testified that: He is 25 years of age, unmarried, a carpenter by trade, born in Arica, legally domiciled therein and inscribed in the Military Register of Peru; that Genaro Alfaro, a master carpenter, in whose shop deponent worked, notified him that he had received instructions from the Governor to dismiss all Peruvians who worked in his shop, so that deponent lost his position and found it impossible to secure any work, having likewise lost his tools because his employer refused to return them, deponent being finally compelled to hastily leave the port of Arica and go into hiding in Azapa upon hearing that the police authorities were searching for him, deponent remaining in Azapa until he had managed to collect money necessary for his passage, whereupon he left on the steamer *Aysen* on the 13th of August, 1920, for Callao; that his family consists of his mother, a sister and his nephew, who likewise were compelled to leave since they were dependent on deponent; that his losses include his position and his tools which were worth 800 pesos; that all young Peruvians are ceaselessly persecuted to compel them to serve in the Chilean army, and upon their refusal are interned in Tarapacá or Copiapó; that all Peruvians are even deprived of the right to work, for they are dismissed from their occupations and Trade Guilds, are refused licenses by the authorities and find all avenues of employment closed against them through the orders issued by the Chilean officials, while it is a matter of common knowledge that they are continually assaulted whenever they appear in public; that witnesses to the above are José and Eleuterio Velarde, Dionisio Delgado, Emilio Salinas and all the deportees from Tacna and Arica; that his present address is Callao, America Street, No. 191.

(Signed)

JOSÉ TRILLO.

(Signed)

GALLAGHER Y CANAVAL.

# AFFIDAVIT No. 352

In Lima, February 11, 1924, Gerardo Ara Trillo appeared, and after being duly sworn testified that: He is 42 years of age, unmarried, a shoemaker by trade, born in Moquegua and legally domiciled in Arica all his life, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that on



the 7th of October, 1923, he was notified by a police agent acting under orders of the Prefect, Vargas, that he would have to leave the territory within 15 days or run the risk of grave danger to his person; that fearful, therefore, of being apprehended and deported to Chilean territory, he hastened to take passage on the steamer *Orcoma* on the 10th of that same month, for the Peruvian port of Mollendo, whence he eventually reached Callao; that his family consists of his mother, three brothers and 6 nephews, who are all dependent upon him for their support, especially since his brother, Juan Ara Trillo, was arrested by the Chilean authorities and deported to Copiapó, since when no news has been received from him; that the damage suffered by deponent consists in the loss of his shoe-repairing establishment, a business which he had worked up after many years' assiduous labor, and which brought him in 20 pesos a day, and whose value was 2,000 pesos; that the Chilean authorities have deported considerable numbers of Peruvians to the south of Arica, among whom he can mention Carlos Molina, Carlos Otoyá, Juan Silva, and many others whose names he does not remember; that it is a well known fact that Peruvian citizens are continually mistreated in the public streets, they are arrested and conducted to police headquarters where they are made to suffer countless indignities and sometimes tortured; that the Chilean Patriotic League ceaselessly holds meetings during which it decides what establishments shall be attacked and looted and what citizens shall be assaulted and expelled, activities which keep the Peruvian population in a continual condition of suspense and terror; that witnesses to the above are A. and G. Soto, G. Liendo, A. Sagredo, J. Linares and D. Vargas; that his present address is Lima, Pueblo Nuevo, No. 91, B. Deponent attaches hereto his identification card issued by the Chilean authorities and the passport granted him by the Bolivian Consul in Arica under date October 10, 1923, as well as his vaccination certificate issued by the Peruvian authorities.

(Signed)

GERARDO ARA TRILLO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 353

In Lima, February 12, 1924, Alberto Zevallos Vargas appeared, and after being duly sworn testified that: He is 22 years of age, unmarried, a mechanic by trade, born in Pocollay, Tacna, and

legally domiciled in the port of Arica for the last 3 years, and inscribed in the Civil Register of the province; that on the 19th of January, 1924, his home was broken into by police agents, who completely wrecked it and carried off everything of value, and though deponent tried to escape, they caught up with him and took him to police headquarters, where he was cruelly treated, confined in a cell and for 15 days was kept on bread and water, and while there, was advised by the police authorities, themselves, to go to the south of Chile, and that they would give him passage to Copiapó, but he declined, and that as soon as he was set free, he took passage on the steamer *Cachapoal* for Callao, where he arrived on the 11th of February; that his family consists of his parents and 5 brothers under age; that in common with his family he owns 2 farms in Pocollay worth 15,000 pesos; that he estimates his losses to be 4,000 pesos and his earnings which were 300 pesos a month; that he can testify to the deportations carried out by the Chilean authorities, and can mention the case of José Rosas, who jumped overboard when being deported, and was drowned, and the cases of Roberto Lanchipa and Modesto Corbacho; that deponent has been continually molested for some time by the authorities, until these molestations culminated in the attack and raiding of his catering establishment in Dos de Mayo Street in Arica, which was totally wrecked, while young Peruvians are ceaselessly pursued to compel them to effect their military service, and the farmers are deprived of their produce through the inroads of the Chilean soldiery on their property, and are likewise deprived of the necessary water for irrigation, to which they are entitled by law; that witnesses to the above are Pablo Velasquez, Juan Pizarro and all the recent deportees; that his present address is Lima, Santa Ana Street.

(Signed)

ALBERTO A. ZEVALLOS.

(Signed)

GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 354

In Lima, February 18, 1924, Sabino Gonzalez appeared, and after being duly sworn testified that: He is 28 years of age, unmarried, a farmer, born in the valley of Lluta, district of Arica, and domiciled in Lluta all his life; compelled to register in the Military Register of Chile by the Chilean authorities and inscribed in the Military Register of Peru; that during the last days of



January, 1924, he was arrested and taken to police headquarters by the police agent, Evaristo Valdez, and once there he was severely upraided by one of the officers because, though he was inscribed in the Military Register of Chile, he had not effected his military service, deponent replying that he had not done so because he was a Peruvian citizen and had complied with the military service law in his own country, whereupon the officer threatened him and compelled him by violence to sign a document which stated that the reports of Chilean outrages against Peruvians were inaccurate, and when he had signed this document he was compelled by the authorities to leave the territory, owing to threats against his person in case he remained in the provinces, whereupon he decided to make for the Peruvian frontier of Sama, which he reached on the 3rd of the present month and eventually reached Lima; that his family consists of his mother and 3 brothers under age, who have remained in Lluta; that his losses are 2,000 pesos and his earnings which were 150 pesos a month; that the Chilean authorities have steadily deported and conscripted young Peruvians, among whom he can mention Justo Pastor Flores, Segunda Zúniga, José Rosas Guzman, Eugenio Corbacho, Teodorico Corbacho, Sebastian Barrios, Zacarias Zavala, Nataniel and Manuel Corbacho, Abdon Romero and many others whose names he cannot recall; that the authorities of Arica have sent police agents in all directions over the surrounding country for the purpose of rounding up all the young Peruvians to conscript them for service in the Chilean army, and should they resist they are imprisoned, and after being severely mistreated, are forcibly enrolled in the regiments or sent to Copiapó, Atacama or Coquimbo deponent instancing the case of his friend Miguel Lucero, who was cruelly assaulted by both brothers Valdez, secret service agents of Arica; that witnesses to the above are Pio Belaúnde, Luis Adrian Castro, Marcelo Fernandez, Nestor Velarde, Gaspar Perea, Cesar Vildoso, Oswaldo Moyano, and all the deportees from Arica; that his present address is Callao, Loreto Street, No. 149.

(Signed)

SABINO GONZALES.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 355

In Lima, February 18, 1924, Cesar Vildoso appeared, and after being duly sworn testified that: He is 27 years of age, married, a farmer, born in Tacna and legally domiciled in Lluta, district of

Arica, all his life, in possession of his baptismal certificate and inscribed in the Military Register of Peru; that during the last days of December, 1923, the Governor of Arica, accompanied by several police agents, came to the Chacabuco Plantation where deponent was engaged as a laborer, for the specific purpose of securing his signature to a document denying the assaults and abuse suffered by the Peruvian citizen, Santiago Corrales, and owing to the attitude assumed by the Governor he was eventually compelled, together with Alejandro Cornejo, notwithstanding their distaste for the step which was required of them, to sign this document; that on the 18th of January, 1924, and with the specific purpose of advising the Peruvian Government of what had occurred, he fled to the Peruvian frontier of Sama, whence he eventually reached Lima in company with several of his fellow-countrymen; that his family consists of his wife and 3 children under age, who have remained in Lluta but will shortly join deponent; that the damage suffered by him consists in the loss of his occupation which brought him in 6 pesos a day; that he can testify to the deportations effected by the Chilean authorities, specifically as refers to Gabino Ibarra, Dionisio Vildoso, Fidel Quelopana, Modesto, Sebastian, Teodorico, Eugenio and Nataniel Corbacho; that all guarantees of safety for the Peruvian population have disappeared in the territories of Tacna and Arica, and the abuses and assaults suffered by it are allowed to remain unpunished by the civil, judicial and police authorities, so that life has become unbearable for anyone of this nationality; that these abuses are committed by the soldiers and officers of the garrison and by public officials who do not scruple to invade private domiciles, wrecking and looting them and arresting the inmates; overrunning the farms and appropriating the crops; that witnesses to the above are Oswaldo Moyano, Sabino Gonzalez, Nestor Velarde, and in general, all the deportees; that his present address is Lima, Santa Ana Street.

(Signed) CESAR VILDOSO.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 356

In Lima, February 18, 1924, Nestor Velarde appeared, and after being duly sworn testified that: He is 28 years of age, unmarried, a farmer, born in Sama and legally domiciled in the valley of Azapa; that during the last days of January, 1924, when working on the



estate of Manuel Portocarrero, 2 police agents called Valdez, appeared and asked deponent whether he was inscribed in the Chilean Military Register, deponent replying that as a Peruvian citizen he was not required to serve in the Chilean army, whereupon he was immediately arrested by the said agents and taken to police headquarters of Arica, where he was again required to serve in the Chilean army and again declined, being eventually set free on condition that he would leave immediately for the south of Arica, but that deponent, on the night of the 3rd of February, 1924, escaped with several of his fellow-citizens who were proceeding on foot to Hospicio, and eventually reached Ilo whence he managed to get to Lima; that his family consists of his mother and a brother under age, who are still in Azapa; that the damage suffered by deponent amounts to 1500 pesos, and his earnings which were 180 pesos a month; that he can testify to the deportations effected by the Chilean authorities, who have sent numberless Peruvians to Copiapó, or to Coquimbo, where they are drafted for service in the Chilean army, mentioning the cases of Miguel Sosa, Cornelio Reyes, Sebastian Barrios, Manuel, Eugenio and Teodorico Corbacho; that deponent knows that the recently discharged soldiers from the army, among whom are numerous sons of Peruvian citizens born in the territories occupied by Chile, have been compelled under duress, to sign declarations testifying that all Peruvians have effected their service in the Chilean army because they considered themselves to be Chilean citizens, and that they have, in no way, been constrained to do so, and have presented themselves for service voluntarily; that aged Peruvians are arrested and induced to go to the South of Chile upon the payment of their passage, for the purpose of keeping them out of the territories; that witnesses to the above are Pio Belaúnde, Marcelo Fernandez, Luis Adrian Castro and many others; that his present address is Callao, Loreto Street, No. 149. Deponent attaches hereto his identification card issued by the Chilean authorities.

(Signed) NESTOR VELARDE.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 357

In Lima, February 18, 1924, Oswaldo Segundo Moyano appeared, and after being duly sworn testified that: He is 22 years of age, unmarried, a bricklayer by trade, born in Arica and legally

domiciled therein all his life; in possession of his baptismal certificate, inscribed in the Civil Register of the province and, under compulsion, in the Chilean Military Register; that as he was being actively pursued for the purpose of serving in the Chilean army, notwithstanding his protests due to his Peruvian citizenship, and for the purpose of escaping this highly distasteful obligation with which he was threatened, he went into hiding and managed to reach Sama on foot, whence he eventually reached Lima on the 18th of January, 1924; that his family consists of his parents and 3 brothers under age, who are all in Arica excepting his parents; that he has suffered the loss of his occupation, which brought him in 180 pesos a month; that he can testify that the Chilean authorities have deported Peruvian citizens, among whom he can mention Felix and Teodorico Corbacho, Miguel Castro, Pastor Flores, Santos Franco and Lucio Obando; that the Chilean authorities, but especially the police of Arica, ill treat and arrest Peruvians so as to secure pecuniary advantages, detaining them until exorbitant ransoms are paid for their release, when they are usually rearrested, this process continuing until the victims either have no more funds, when they are then deported, if they have not already escaped so as to secure deliverance from such impositions; that witnesses to the above are Sabino Gonzalez, Pio Belaúnde, Marcelo Fernandez, and in general, all the deportees; that his present address is Lima, Santa Ana Street. Deponent attaches hereto his identification card issued by the Chilean authorities, as well as a testimonial furnished him by Dante Vernengo, proprietor of a drugstore in Arica, certifying to deponent's unvarying good conduct during the several years he was in his employment.

(Signed) OSWALDO SEGUNDO MOYANO.

(Signed) GALLAGHER Y CANAVAL.

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#### AFFIDAVIT No. 358

In Lima, February 18, 1924, Julio Forero appeared, and after being duly sworn testified that: He is 29 years of age, unmarried, clerk by occupation, born in Tacna and legally domiciled therein all his life, in possession of his baptismal certificate, inscribed in the Civil Register of the province and in the Military Register of Peru; that on the 2nd of April, 1921, having been grossly persecuted and harried by the Chilean authorities to compel him to



serve in the Chilean army, he was compelled to leave the city of Tacna; that his family consists of his mother and 5 brothers who were likewise obliged to leave Tacna on account of the persecution directed against Peruvian citizens by the Chilean authorities; that deponent has suffered damage to the extent of 20,000 pesos; that at the time of his expulsion, life had become unbearable in Tacna, for no Peruvian citizen could carry on any trade or occupation, nor could he find employment with any of the business firms, who had all been forbidden to employ Peruvian citizens and to dismiss those of their employees who were of this nationality, while the farmers were arbitrarily deprived of the water to which they were entitled by law for the irrigation of their lands, which were continually overrun by bands of soldiers and other individuals of Chilean nationality for the purpose of appropriating their crops, frequent clashes occurring in consequence between the raiders and the owners, with, at times, fatal consequences as occurred in the case of Sebastian Felix who was murdered by soldiers of the Chilean garrison; while the Water Delegates for the Rivers Caplina and Uchusuma—public officials of Chilean nationality—arbitrarily dispose of the water to which the farmers are entitled, diverting it to their own use or to that of institutions or private individuals whom they desire to favor; while in general, all guarantees of safety have been withdrawn from the Peruvian population in Tacna and Arica; that witnesses to the above are Carlos Guillermo MacLean, Justo Marin, Juan Diez, Aníbal Marchand, and in general, all the deportees of Tacna who are at present in Lima; that his present address is Lima, Washington Street, No. 240.

(Signed)

J. FORERO.

(Signed)

GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 359

In Lima, February 18, 1924, Luis Andrés Castro appeared, and after being duly sworn testified that: He is 33 years of age, married, a landowner, born in the port of Arica, and legally domiciled in the valley of Azapa; that on the 8th of November, 1922, he was present, together with the principal landowners in the valley of Azapa, at the inauguration of a school in the district of Maitas, and in connection therewith, was compelled to be present at a breakfast given at the plantation of Enrique Arismendi, the

Registrar of the valley; that upon this occasion the Sub-Delegate, Carlos Blanlot, required those present to reciprocate this entertainment, the guests being notified a few days later, November 12, by the Corporal Arancibia, to proceed to form a committee for the purpose of organizing the entertainment in honor of the Governor, the committee being constituted by deponent, together with Pio Belaúnde, Marcelo Fernandez and Juan Focacci, who, under duress and threats, were compelled to arrange for this entertainment which took place on the Gallito Plantation belonging to a Peruvian citizen, Ricardo Fernandez; that on the 14th of August, 1923, the former Minister of Foreign Affairs of Chile, Luis Izquierdo, arrived at Arica and was invited to a breakfast on the plantation belonging to Sr. Ismael Gandolfo by the Governor, Emiliano Bustios, and the Sub-Delegate, Carlos Blanlot, on which occasion deponent and the other landowners of the valley were required and compelled under threats of expulsion and reprisals, to present their respects to this official notwithstanding their repugnance thereto as Peruvian citizens; that on the 18th of September, 1923, they were again required to exteriorize their attachment to Chile by celebrating this anniversary, to which effect they, as well as all the landowners of the valley, had each been required to subscribe at least 50 pesos; that on the 15th of November last, deponent and all the farmers of the district, who had been summoned to appear before the Sub-Delegate of Azapa, were compelled under threats and intimidated into signing a testimonial addressed to the Governor of Arica, Emiliano Bustios, congratulating him on the success of his administration, notwithstanding the countless acts of oppression and persecution committed at his direct instigation; that on the 14th of December last, deponent and Pio Belaunde, Marcelo Fernandez and Juan Focacci, summoned before the Governor of Arica, were made to listen to the reading of a letter from the Representative of the region to the Peruvian Congress, and addressed to the Peruvian Delegation in Washington, which treated of the entertainment which the Peruvian farmers of Azapa had been compelled to tender the Chilean authorities, the contents of which communication they were forthwith required to deny by means of a legally executed document, and upon demurring to sign a statement so contrary to the truth, they were again threatened with the severest penalties, not only in their own persons but in those of the defenseless members of their families, so that in this dire extremity they had no alternative but to do as they were commanded, and proceeding



to the office of the Port Notary, they affixed their signatures to a document of which only the final portion was read to them and which consisted of a denial of the outrages suffered by the residents of Arica; that the signing of this document, however, did not secure for them any let-up in the persecution directed against them, for they were constantly watched and forbidden in any way to communicate with Peru or even with their fellow-citizens in Arica, their lives being made unendurable to such an extent, with the ever-present threat of internment held over them and which had been carried into effect with so many of their fellow-countrymen, that deponent was eventually compelled to go into hiding in an endeavor to reach the Peruvian frontier of Sama, whence he managed to get to Lima where, delivered from the consequences of Chilean vengeance he does not hesitate to denounce the unheard-of abuses, outrages and crimes committed by the Chilean authorities against the persons and interests of the Peruvian denizens of Arica; that his family consists of his wife, 7 children and a sister-in-law, who have likewise had to suffer Chilean persecution and are now in Arequipa; that he owns 2 farms in the valleys of Azapa and Lluta, and a house in the port of Arica, worth 130,000 pesos; that he estimates his losses to be 30,000 pesos and his earnings which were 2,000 pesos a month; that he can testify to the internment of Peruvian citizens by the Chilean authorities to the South of Arica, among whom he can mention the cases of Eugenio Corbacho, Teodorico Corbacho, Carlos Conchaliqui, Cornelio Reyes Oviedo, Manuel Ramos, Claudio Luceros, Sebastian Corbacho, Barrios, Nataniel Corbacho, Agapo Estoraica, Miguel Sosa, Manuel Corbacho, Eugenio Pimentel, Juan Zavala, Miguel Castro, Raul Ordoñez, Pastor Florez, Alejandro Colque, Modesto Borja, Enrique Ovando, Santos Francos, Ezequiel Vildoso, Angel Bras, German Vilca, José Larva, Abdon Romero, Mariano Ramos, Juan Manuel Zavala, Juan Ramirez, Tomas Ariste Ramirez, Federico Pimentel, Juan Corbacho, Patrocinio Zavala, Zacarias Zavala and many others whose names he does not recall; that the Chilean authorities commit every manner of abuse against the Peruvians in the department of Arica, among which he can mention the murder of Francisco Cornejo, which took place on the Rosario Plantation in the valley of Lluta, belonging to Emilio Birrueta, and which has been shelved, owing to the improper taking of evidence and false depositions accepted by the Judge of Arica; the theft of the jewels and sacred vessels belonging to the Santuario de las Peñas Church in the valley of Azapa, com-

mitted by Gabino Galeguillos, the Chilean Inspector of that district, and many other cases of this sort which go unpunished by the authorities; the inroads on the property of Peruvian farmers for the purpose of appropriating their crops or arresting their owners, advantage being taken of these disorders to commit every kind of abuse against the defenseless women, no complaint being ever made against such proceedings for the fear of vengeance which it would call down upon them and also because they know that such complaints are perfectly useless, since no notice whatever is taken of them by the judicial or police authorities; deponent likewise mentions the excessive taxation and the exorbitant fines arbitrarily levied against Peruvians, while Peruvian citizens are made to undergo every form of torture in the headquarters of the police station in Arica, as is well known to have occurred with Luis Rondon, José Rueda and Guillermo Carlos; that witnesses to the above are Pio Belaúnde, Oswaldo Moyano, Cesar Vildoso, Sabino Gonzalez, Gaspar Perea and Marcelo Fernandez, that his present address is Lima, Santa Catalina Street, No. 657. Depo-  
nent attaches hereto his identification card issued by the Chilean authorities.

(Signed)

LUIS A. CASTRO.

(Signed)

GALLAGHER Y CANAVAL.

Note: Deponent's signature is directly attested by the American Consul in Lima, having been affixed hereto in the presence of that official.

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#### AFFIDAVIT No. 360

In Lima, February 18, 1924, Pio Belaúnde appeared, and after being duly sworn testified that: He is 40 years of age, a farmer, married, born in the valley of Azapa which is his legal domicile and where he has resided all his life; that on the 8th of November, 1922, the principal landowners of the valley of Azapa, among whom was deponent, were invited by the Governor of Arica, Emiliano Bustios y Leon, to the inauguration of the school of the district of Maitas and to a breakfast on the plantation belonging to the Registrar, Enrique Arismendi, at the conclusion of which, and at the suggestion of the Sub-Delegate of Azapa, Carlos Blanlot, the guests were obliged to reciprocate the courtesy, and that 4 days later, that is to say on the 12th of November, deponent and his fellow-countrymen were notified by Corporal Arancibia to appoint a commission to organize the festivities; that on the 15th of that month the landowners of Azapa were summoned together and under the



pressure exerted by the said Enrique Arismendi, the committee was formed and consisted of deponent, Marcelo Fernandez, Luis Adrian Castro, and Juan Focacci, and that as a consequence, and notwithstanding their easily understood repugnance, they were compelled to hold the banquet in the Gallito Plantation belonging to a Peruvian citizen, Ricardo Fernandez, since this was one of the special stipulations insisted upon by the authorities, the purpose of the whole thing being an endeavor to prove that Peruvian citizens were in favor of Chile and had Chilean interests at heart, though, as a matter of fact, they were threatened with expulsion in case they failed to carry out the orders given to them to the smallest detail; that on the 14th of August, 1923, the former Minister of Foreign Affairs of Chile, Luis Izquierdo, arrived at Arica and was invited by the Governor, Emiliano Bustios, and the Sub-Delegate, Carlos Blanlot, to a breakfast in the plantation belonging to Ismael Gandolfo, in the valley of Azapa, on which occasion the landowners of the said valley were notified that they would have to call upon this gentleman as a testimonial of their feelings of regard for him and for his policies, and notwithstanding their natural repugnance as Peruvian citizens to take such step, they were compelled to do so, since the alternative was expulsion from the territory where they resided and where they obtained their means of livelihood as farmers; that on the 18th of September, 1923, they were compelled to take part in the celebration of this, the Independence Day of Chile, having been required to subscribe the sum of 50 pesos per head, while those who, on account of their impecunious condition, were unable to furnish this amount, were deprived of goods and property of this value; that on the 15th of November, 1923, deponent and all the landowners of the valley were assembled upon summons in the Sub-Delegation of Azapa, where they were compelled, under duress, to sign a memorial congratulating the Governor of Arica, Emiliano Bustios, for his successful administration, while on the 14th of December last, deponent, Marcelos Fernandez, Luis Adrian Castro and Juan Focacci were summoned to appear on the following day before the Governor of Arica, to hear the reading of a letter addressed to the Peruvian Delegation in Washington by Gustavo Pinto, Representative to the Peruvian Congress for the Peruvian region of Tacna, and which contained an account of the banquets which the landowners of Azapa had been compelled to tender to the Chilean authorities, an absolute denial of the contents of this letter being required of them, a denial which they were compelled,

under threats, to sign before the notary of the Port of Arica, the concluding portion of which was, alone, read to them; that after signing this deposition they were subjected to the closest watch on the part of the authorities who interfered in the minutest details of their daily lives, every communication with Peru or even with their fellow-citizens in Arica, being absolutely forbidden, owing to which they were eventually compelled, through fear of the deportations which were being ceaselessly carried out among their fellow-citizens, to flee from the territories towards the Peruvian frontier of Sama, their principal purpose being to be able to retract before the Peruvian authorities the statements which they had been compelled to sign under duress; that his family consists of his wife and 1 daughter, who have remained in Arica and will shortly join deponent; that he possesses, in common with his brothers, a farm in Azapa worth 42,000 pesos; that his losses amount to 4,000 pesos, and his earnings which were 600 pesos a month; that in addition to the abuses related above, deponent wishes to state that Carlos Blanlot, by threats, compelled deponent to sign a promise that, in case he should ever leave the port where he was domiciled, he would only proceed to Chilean territory; that he can testify to the deportations carried out by the Chilean authorities in general, and specifically as regards Miguel Sosa, Santos Franco, Manuel Corbacho, Sebastian Barrios, Eugenio and Teodorico Corbacho, Tomas Rimirez, Juan Salas, Abdon Romero and Carlos Zavala; that the police agents of Arica overrun the valleys of that district arbitrarily arresting all Peruvians whom they may chance to meet, sending some to the Southern provinces of Chile and imprisoning others so as to cause them to pay heavy ransoms or to subscribe testimonials in favor of Chilean interests; that Peruvians cannot exercise or engage in any trade or occupation, and are even forbidden to congregate, and that their every movement is spied upon and reported to headquarters, while all their correspondence is violated in the Arica postoffice; that witnesses to the above are Marcelo Fernandez, Luis Adrian Castro, Cesar Vildoso, Sabino Gonzalez, Nestor Velarde, Gaspar Perea and Oswaldo Moyano; that his present address is Lima, Santa Catalina Street, No. 657. Deponent attaches hereto his identification card issued by the Chilean authorities, and signs the present affidavit in the presence of the Judge and the American Consul General in Lima, as appears from this official's legalization attached hereto.

(Signed)

M. PIO BELAÚNDE.

(Signed)

GALLAGHER Y CANAVAL.



In Lima, February 18, 1924, Marcelo Fernandez appeared, and after being duly sworn testified that: He is 40 years of age, married, a farmer, born in the port of Arica and legally domiciled in the valley of Azapa; that on the 8th of November, 1922, the principal landowners of the valley of Azapa were invited by the Governor of Arica, Emiliano Bustios y Leon, to the inauguration of a school in the district of Maitas and to a lunch on the estate of the Registrar, Enrique Arismendi, whereupon the Sub-Delegate, Carlos Blanlot, suggested the advisability of reciprocating this entertainment, deponent and others being notified on the 12th of that month by Corporal Arancibia to proceed to appoint a committee which would take charge of the arrangements, a committee which was formed with deponent, Luis Adrian Castro, Pio Belaúnde and Juan Focacci, and under compulsion and threats they were made to hold this banquet on the estate of the Peruvian landowner, Ricardo Fernandez, so as to give a concrete proof of the consideration in which the Chilean authorities were held by the Peruvian residents of the valley; that deponent and Focacci were even required to make fulsome speeches in praise of these same Chilean authorities, speeches which had been prepared in advance by Blanlot and Arismendi, though deponent absolutely refused to do this and the speeches were then read by Focacci; that on the 14th of August, 1923, the former Minister of Foreign Affairs of Chile, Luis Izquierdo, arrived in Arica and was invited by the Governor, Emiliano Bustios, and the Sub-Delegate, Carlos Blanlot, to a breakfast on the plantation belonging to Ismael Gandolfo, in the valley of Azapa, at which all the farmers of the valley were told they would have to be present, as a proof of their regard and admiration for this official, a step they were compelled to carry out, owing to the threats directed against them and their families; that on the 18th of September, 1923, they were again required to exteriorize their sympathy for Chile by taking part in the festivities connected with the celebration of the Chilean Day of Independence, for the proper celebration of which each of the landowners had been compelled to subscribe the sum of 50 pesos; that on the 15th of November, 1923, deponent and all the landowners of Azapa were again obliged to attach their signatures to a memorial congratulating the Governor, Emiliano Bustios, on the success of his administration, while on the 14th of December last, deponent, Luis Adrian Castro, Pio Belaúnde and Juan Focacci were sum-

moned to appear before the Governor, who read to them the letter addressed by Gustavo Pinto, member of the Peruvian Congress for the Peruvian portion of Tacna, to the Peruvian Delegation in Washington, and which contained an account of the obligatory festivities tendered by the Peruvians to the Chilean authorities, an account they were required to deny by means of a notarial document, the concluding portion of which was, alone, read to them, and which consisted of a statement declaring that Peruvian citizens were in the enjoyment of every guarantee; that after the signature of this document, the watchfulness of the authorities was never relaxed, and the signers were exposed to interference in every particular of their lives, being forbidden to correspond with Peru and even to see their fellow-citizens in Arica; that deponent and his companions, being anxious to withdraw themselves through the possibility of imminent deportation, and desiring, in addition, to correct and retract the grave statements which they had been compelled, under duress, to sign, eventually decided to escape to the Peruvian frontier of Sama whence they eventually reached Lima; that his family consists of his wife and a son under age, who have remained in Arica, but who will shortly join deponent; that he owns 2 farms in the district of Azapa, 2 houses in the port of Arica worth, altogether, 40,000 pesos; that he estimates his losses to be 7,000 pesos and his earnings which were 650 pesos a month; that the Chilean authorities have deported Peruvian citizens, among whom he can mention Felix, Torrico, Nataniel and Manuel Corbacho, Carlos Conchalique, Cornelio Reyes Oviedo, Manuel and Mariano Ramos, Claudio Lucero, Sebastian Barrios, Agapo Estoraica, Miguel Sosa, Eugenio Pimentel, Juan Zavala, Miguel Castro, Pastor Flores, Alejandro Colque, Modesto Borja, Enrique Obando, Santos Franco, Lucio Obando, Ezequiel Vildoso, Angel Bras, German Vilca, José Larva, Abdon Romero, Juan Manuel Zavala, Juan Aristides Ramirez, Tomás Aristides Ramirez, Federico Pimentel, and Carlos Zavala y Juan Sálas; that the police agents of Arica have been specially commissioned to overrun the valleys of that port and take advantage of nighttime to raid the domiciles and arrest the inmates, taking them to police headquarters where they are then shipped south; that the Peruvian farmers are assessed in higher taxes than those imposed by law, the difference being kept by these same authorities; that witnesses to the above are Pio Belaúnde, Luis Adrian Castro, Nestor Velarde, Sabino Gonzalez, Cesar Vildoso and Oswaldo Moyano; that his present address is Lima, Santa Catalina Street,



No. 657. Deponent further testifies that the Chilean authorities of Arica, both in the port and in the surrounding districts, are securing, by means of threats and abuse, declarations signed by Peruvian citizens, testifying that all reports relative to the persecution and arbitrary treatment suffered by them, are untrue. Deponent signs the present deposition in the presence of the Judge and the American Consul in Lima, as appears from this official's legalization which is attached hereto.

(Signed) MARCELO FERNANDEZ.

(Signed) GALLAGHER Y CANAVAL.

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AFFIDAVIT No. 362

In Lima, August 8, 1923, Luis Maldonado Montes de Oca, appeared, and after being duly sworn testified that: He is 43 years of age, married, a teacher, born in Tacna and legally domiciled in Arica for the last 19 years, his marriage inscribed in the Civil Register of the province and himself in the Military Register of Peru; that on the 15th of February, 1919, he was apprehended in the street and forcibly conducted to the pier by the soldiers belonging to the Regiment of Lancers, together with the denizen of Arica, Cayetano Salas, and put aboard the steamer *Cachapoal*, but before he reached the vessel the sum of 830 pesos and a watch were taken from him by the Chilean boatmen; that his family consists of his wife and 4 children under age, who were not expelled, but as they were dependent upon him for their support, were naturally obliged to join him later; that he owned a private school which was attacked, and the contents, worth 5,000 pesos, totally destroyed by Chilean mobs; that he has suffered the loss of this sum, as well as a position which had taken him many years to work up and which brought him in more or less 400 pesos a month; that as deponent arrived penniless on board, his fellow-citizens who were on the ship, made up a purse among themselves so as to pay the value of his passage; that Peruvian citizens are persecuted in every way, both morally and physically and are even forbidden the right to work; that witnesses to the above are Lorenzo and José Badaracco, Eduardo Pinto, Vicencio Tara and all the deportees from Arica; that his present address is Lima, Agricultural College.

(Signed) L. MALDONADO MONTES DE OCA.

(Signed) GALLAGHER Y CANAVAL.

**Petition by Leónidas Febres, to Dr. Eduardo Gómez Carrera,  
Judge of the Primary Court of Claims (Juez de Primera In-  
stancia).**

Leónidas Febres, Lawyer, legally domiciled in Locumba, No. 34 Tacna Street, after being duly sworn, states that: I know that the Chilean authorities which govern the Province of Tacna in Chilean occupation since the War of '79 have expelled the Peruvian citizen Teodoro Cáceres, there being no just cause for such expulsion. The above-mentioned Peruvian citizen has been subjected to cruel treatment, bearing upon his person several wounds and bruises, as can be ascertained by the court.

Cáceres, who reached this city the day before yesterday, states that he has been expelled from Tacna, his native city, for no reason whatsoever, after having been subjected to cruel torture, solely because he declared himself to be of Peruvian nationality and because two of his sons are serving in the Peruvian army; that the Peruvians of Tacna and Arica are being expelled in great batches (*en masse*), after having been subjected to persecution and torture without precedent in civilized countries.

As occurrences of this nature should be made public, I submit the deposition of the aforesaid Cáceres, so that it may be brought to the attention of the Honorable —— who is to decide our case.

The complainant will present his statement according to the following questionnaire:

*First*, State the motive for your expulsion from Tacna.

*Second*, Describe the abuse to which you were subjected, as well as that inflicted upon our fellow-citizens.

*Third*, Describe the outrages which the Chilean authorities and Arica commit against Peruvian citizens, residents of those provinces.

*Fourth*, Mention what knowledge you possess of any other facts and of what these consist.

Therefore I request that the above referred to witness be summoned upon a given day and hour for the purpose of testifying to all of the above. And further: That the duly appointed Medical Officer of the province, Dr. Gregorio Ramírez, shall examine the witness, Cáceres, and furnish his report of such examination.

Locumba, August 17, 1923.—*Leónidas Febres*.



Locumba, August 17, 1923. The above being duly acknowledged, let Teodoro Cáceres be summoned to appear at the session of the court on the 18th inst. And further, that the Medical Officer carry out the examination as requested, the report thereof to be made under oath for the purpose of which the Clerk of the Court of Justice, Lucio López, is hereby appointed to receive all depositions.—*Lucio López.*

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Immediately thereafter, Teodoro Cáceres, was duly advised in his residence No. 11 Huánuco Street of this city of Locumba by a summons in compliance with above order of the court, copy of which was left with him, witness affixing his signature thereto in proof of such receipt.—*Teodoro Cáceres; Lucio López.*

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Immediately thereafter, the Medical Officer, Dr. Gregorio Ramírez, was duly summoned to appear at my office, his signature being affixed hereto in proof of such notification.—*G. Ramírez; Lucio López.*

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In Locumba, provisional capital of the Department of Tacna, on the 18th of August, 1923, in public session of this court, Teodoro Cáceres, Félix, a Peruvian citizen, a resident of the city of Tacna of Chilean occupation, 45 years of age, widower, farmer by occupation, appeared, and having been advised by the Judge to speak the truth and reminded of the penalties which he would otherwise incur, he was duly sworn, promising to truthfully answer the questionnaire already mentioned on page 1, and replying to the first question, declared: that on Friday, tenth of the present month (August), at about 3 P. M. as deponent was working on his farm in the Alto de Lima district of the city of Tacna near the reservoirs, two agents of the Chilean secret police came to him and required his immediate appearance at the Police Barracks, about eight squares from the place where he then was; that upon requesting permission from the police agents to go to his house to change his clothes, and this permission being refused him, he was obliged to proceed immediately in compliance with this order which was given in the presence of his father, Rosario Cáceres, a Peruvian citizen, 75 years of age; that upon reaching the Police Barracks situated in the Bulnes Plaza, deponent was met by two police sergeants who ordered him to follow them and confined him in a narrow cell where he was kept from that

Friday afternoon until 9 P. M. on the following Monday, the 13th of the present month, when a Chilean police agent, Manuel Barahona, by name, came to his cell, struck him on the mouth and told him he would have to leave for Sama on the frontier; that deponent upon being attacked, while a defenceless prisoner, replied to the said Barahona, "Very well, this is your farewell, so that I may not forget you"; that thereupon two other police agents appeared with their horses ready saddled and the corporal on duty, one of whom made him mount behind him and started for the Peruvian side; that when about leagues out of Tacna, one of the sergeants struck him and ordered him to dismount, whereupon both of these Chilean agents secured his hands behind his back by means of handcuffs and proceeded to flog him with whips, the strands of which were weighted with balls of lead, until he lost consciousness, and has no recollection of having been mounted once more upon the horse to continue to Sama on the frontier, for deponent was as though dead and only recovered his senses when a short distance from the Chilean Customs House at the frontier, which they reached at about 4 A. M. on Tuesday, the 14th inst.; that deponent was then made to dismount, which he was scarce able to do owing to his weak condition and was thereupon tied to a post with his hands behind his back, but so tightly that they became black and quite numb, his captors refusing, notwithstanding his entreaties, to even loosen his bonds a little so as to secure momentary relief; that the police agents left him in this place in the presence of soldiers to one of whom he asked for the commanding officer so as to be allowed to cross the frontier into Peru, a permission he could not obtain as the soldier told him he was under the orders of the police agents who had brought him there; that deponent was threatened with death with a revolver by the agents when they made him dismount 3 leagues out of Tacna, and that when he was taken from his cell they took from him two gold rings, one with his monogram worth about 240 Chilean pesos and the other about 40 pesos; that at about 10 A. M. on Tuesday, the 14th inst., the Chilean police agents returned and untying his bonds set him free, expelling him to the Peruvian frontier, which he reached under considerable difficulty, being assisted therein by a young Peruvian who was working on a nearby farm; that deponent went to the Peruvian Commissioner of Sama and recounted what had taken place and showed the marks of the outrages, receiving from this official next day the means whereby to reach this city where he is at present



receiving medical attention, having been examined by the Medical Authority, Dr. Gregorio Ramírez; while deponent states that the reason for his expulsion and persecution is that about four months ago his sons, Jose Segundo and Juan Cáceres, presented themselves for service in the Peruvian army, both of whom are now in Lima.

Replying to the second question, deponent states that with regard to the torture inflicted, he would refer to his recently given testimony, while the outrages suffered by Peruvian citizens in the captive provinces of Tacna in Arica, are without number: They are expelled, their goods and property confiscated and they are tortured in every way, being deported to Copiapó, where they are set to work at labors beyond their strength; that about four months ago the Chilean police captured Jorge Acevedo in Arica, 60 years of age, at about 6 P. M., and mistreated him so severely that he was left for dead, being released at 2 A. M. the following day; that not only his uncle, Jorge Acevedo, but also some young Peruvians were likewise ill-treated, one of them being employed in the paste factory of Arica and another a tailor by trade; that deponent then went to Arica and took charge of his old relative, who is at present recovering in deponent's house in Tacna; that two young Peruvian citizens of Tacna, Saldivar and Santamaria, had likewise been grossly ill-treated by the Chilean police authorities because they declined to serve in the Chilean army, and that after being mistreated, these young men were expelled via the Port of Arica and should now be in Mollendo or Arequipa.

In reply to the third question, deponent refers to what he has already testified.

To the fourth question, deponent states that in addition to what he has related, he must add that the Chilean authorities have notified all Peruvian citizens to leave their native city of Tacna and that should these not comply with this order they are to be dispossessed of their homes, and exposed to all manner of persecution, the purpose being to prevent Peruvian citizens from voting for Peru in case of a plebiscite. Whereupon the examination of the witness was concluded and being read to him its contents were ratified by him and subscribed to in the presence of and together with the Judge, to all of which I certify.—*Gómez Carrera; Teodoro Cáceres; Lucio López.*

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In Locumba, Provisional Capital of Tacna, on the 20th of August, 1923, Dr. Gregorio Ramírez, Medical Authority of the Province, being present at the public session of the court, per-

sonally handed to the Justice thereof the report of his examination of the person of Teodoro Cáceres, a Peruvian citizen expelled from Tacna by the Chilean police authorities, and upon being admonished to speak the truth the witness was duly sworn, promising to truthfully reply to such questions as might be put to him, and being questioned as to his name, age, condition, religion, domicile and profession, replied: That his name is Gregorio Ramírez, 38 years of age, single, a Roman Catholic, domiciled in Plaza Zela, and a physician by profession. Interrogated as to whether he affirms and ratifies the contents of the report which he presents, and whether he has acted with strict impartiality in the examination made upon the person of Teodoro Cáceres, he replied that: The contents of the report are strictly accurate, that he has acted impartially, both in the written and signed report actually submitted as in the examination effected on the person of the above-mentioned Cáceres. Whereupon the interrogation was concluded, the Judge ordering that the report and photographs be included in the papers of the case. The above having been read to the witness, its contents were affirmed, ratified and signed together with the Presiding Justice of the court in my presence, to all of which I certify.—*Gómez Carrera; G. Ramírez; Lucio López.*

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*Three photographs of deponent showing marks of ill treatment.*

To the Judge of the Primary Court of Claims:

The undersigned, Medical Officer of the Province of Tacna, Libre, ordered by that court to proceed to the medical-legal examination of the lesions exhibited by Teodoro Cáceres, and upon examinations made thereof by me, I hereby report as follows:

Teodoro Cáceres, about 45 years of age, has two wounds made by some sharp cutting instrument, one 6 centimeters long on the right parietal division, traversing the skin, the subcutaneous cellula tissue and the epicranial aponeurosis—that is, all soft parts of the bony wall; and the other, 4 centimeters long in the ribs which has traversed the skin and the cellula subcutaneous tissue. He likewise shows various lesions, one on the right shoulder, ecchymosis being present, over an area of 16 square centimeters; another on the upper lip which has torn the labial mucous membranes and another on the bend of the left elbow which shows ecchymosis and skin erosion.

In addition to the above the patient shows various ecchymosis in stripes which cross the skin in various directions and which



doubtless have been produced by the strokes of a whip or some thin instrument.

The wounds on the head and the ribs are infected and have been caused by some cutting instrument, for the lips of the wounds are regular, their surroundings showing no traces of the bruising of tissue which is always present as the result of blows. Photographs of both wounds accompany this report. The recovery of Cáceres will be completed within 15 days from the date of this procedure, so long as the patient is quiet and under medical care.

Locumba, August 20, 1923. (Official Seal of Office).—*G. Ramírez.*

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Locumba, August 21, 1923.

The request of Dr. Leónidas Febres having been fully carried out by these presents, let the same be given to him, under receipt, for such use as he may consider necessary.—*Lucio López.*

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Immediately following I notified Dr. Leónidas Febres of the above decree and upon its contents being made known to him, he affixed his signature as I hereby testify.—*Leónidas Febres; Lucio López.*

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José Mariano Bustamante y Rada, President of the Superior Court of the Judicial District of Arequipa,

Certifies: That the signature appearing at the foot of the report of the session of the court contained in pages 2 to 6 of the above, and which reads "Gomez Carrera" is authentic and is that used by the Justice of the Primary Court of Claims (Juez de Primera Instancia) of the Province of Sama, Dr. Eduardo Gomez Carrera, in actual exercise of his functions.

Arequipa, October 23, 1923.—*José Mariano Bustamante y Rada.*  
(Seal of the  
Superior Court)

Legalized in the Ministry of Justice, Public Worship and Education.

Lima, November 8, 1923.—*J. Ego-Aguirre*, Minister of Justice.  
(Seal of the  
Ministry)

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The above signature of the Minister of Justice, J. Ego-Aguirre,

is hereby legalized in the Ministry of Foreign Affairs, Lima, November 10, 1923.—*César A. Elguera*.

(Seal of Ministry of  
Foreign Affairs)

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I, Claude E. Guyant, Consul of the United States of America, at Lima, Peru, do hereby certify that the signature of César A. Elguera as Official Mayor (Under Secretary of Foreign Affairs), and the seal of his office as appearing on the annexed document are true and genuine and entitled to full faith and credit.

Witness my hand and official seal at Lima, Peru, this twelfth day of November, 1923.—*C. E. Guyant*.

(Seal of the American  
Consulate General).

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**Petition by Leónidas Febres before Dr. Eduardo Gómez Carrera, Judge of the Primary Court of Claims of Locumba, Peru, in the matter of Depositions under Oath of Divers Witnesses.**

Leónidas Febres, Lawyer, legally domiciled at No. 34 Tacna Street, Locumba, Peru, deposeth:

That the following persons, Alberto Basadre, Vicente Eyzaguirre, Manuel Eyzaguirre and José Vargas, are at present in this city, having been expelled from Tacna by the Chilean authorities who govern that province, and are acquainted with specific cases of abuses undertaken in the Peruvian Irredentist provinces upon instructions emanating from the government of Chile; The first named is a son of Dr. Carlos A. Basadre, the owner of various estates in Tacna, one of which was destroyed by fire started by Chilean soldiers.

The above-mentioned persons have important information which should be known to the Peruvian Government, for which reason I submit their testimony taken according to the following questionnaire:

*First.* State the motives for your expulsion from Tacna.

*Second.* State whether you possess information respecting the abuses committed by the Chilean authorities of Tacna and Arica against Peruvian residents in these provinces.

*Third.* Mention the most recent instances relative to the expulsion of Peruvian citizens from Tacna and Arica.



Therefore: I hereby request that you summon the above-mentioned witnesses upon a given day and hour for the purpose of receiving their testimony.

Locumba, August 29, 1923.—*Leónidas Febres*.

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Locumba, August 31, 1923. The above petition has been received. The depositions of the witnesses in question shall be received on the 3rd and 4th of the present month, the Clerk of the Court, Lucio López being appointed to receive the same.—*Lucio López*.

The above was immediately brought to the personal attention of Dr. Leónidas Febres, who signs with me.—*Leónidas Febres; Lucio López*.

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I immediately notified Vicente Eyzaguirre in his residence of the above summons, which he hereby acknowledges.—*Vicente Eyzaguirre; Lucio López*.

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I then proceeded to notify Manuel Eyzaguirre at the same address, leaving with him a copy of the summons and securing his signature.—*Manuel Eyzaguirre; Lucio López*.

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I then proceeded to notify Mr. Alberto Basadre at his residence and he signs with me.—*L. A. Basadre; Lucio López*.

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I then proceeded to notify José Vargas of the above mentioned summons, leaving a copy with him as required by law, and securing his signature.—*José Vargas; Lucio López*.

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In Locumba, Provisional Capital of the Department of Tacna on September 3, 1923, in public session of this court, Alberto Basadre appeared for the purpose of giving his sworn testimony, and upon being required by the Judge to speak the truth and advised of the penalties which a contrary course would involve, and having sworn to truthfully reply to such questions as might be put to him, he was interrogated as to his name, surname, age, country, nationality, civil status and occupation, replying that his name is Alberto Basadre, 32 years of age, a Peruvian citizen, born in Tacna, in Chilean occupation, that he is a transient in this city owing to having been expelled from the place of his birth

by the Chilean authorities, that he is unmarried and a merchant by occupation. Having been examined according to the questionnaire given on the first page, he replied to the first question that: He was expelled from Tacna upon an order from the Chilean authorities stationed in that city, after a country house belonging to his father, Dr. Carlos Alberto Basadre, located at Rocallay, in the Province of Tacna, had been burned, of which deed the Chilean Sergeant Maranga, of the regiment "Lanceros," is accused with good reason, and of whom it is said that he drew lots with a corporal in the same regiment, acting upon the orders of the Colonel Carlos Fernandez Pradel, the Military Officer in command of Tacna, before committing the deed; that at the time the deed was perpetrated, deponent and his brother, Guillermo Basadre, were on their plantation "Galindo," located in Cabana, on the above-mentioned province of Tacna, being subsequently notified by order of the above referred to military officer in command, to immediately leave the province, an order which was carried out on the 28th of May of the present year; that deponent and his brother Guillermo left for Callao, and later, having secured their respective passports to enable them to return to their native city for the purpose of winding up their affairs, they were not allowed to land, neither in Arica nor in Iquique, their passports having been taken from them at the last named port, which explains why they are in this place at present and prevented from attending to their interests in the Province of Tacna. In reply to the second question, deponent stated that the abuses committed against Peruvian residents in the Provinces of Tacna and Arica are of common knowledge and notorious, for the Chilean police continually summon them, sequester their persons and expel them at unseemly hours of the night, as recently occurred with Teodoro Cáceres, whom police agents in plain clothes conducted to the frontier at Sama after barbarously mistreating him; that the Chilean authorities at the present moment insist that young Peruvians, residents of Tacna, effect their military service in the Chilean army, and upon their refusal they are expelled from the Provinces of Tacna and Arica, by which means they are completely depopulating the provinces of their Peruvian inhabitants. In reply to the third question, deponent states that having been absent recently from Tacna, he does not know of any other specific instances of abuses committed against the Peruvian population other than those he has related, which concluded the examination. The above testimony having been read to deponent he ratified



its contents and signed with, and in the presence of, the Judge and myself, to all of which I hereby certify.—*Gómez Carrera; L. A. Basadre; Lucio López.*

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In Locumba, Provisional Capital of the Department of Tacna, on the 4th of September, 1923, and in public session of this court, José R. Vargas appeared for the purpose of giving his sworn testimony and upon being required by the Judge to speak the truth and being advised of the penalties which a contrary course would involve, and having sworn to truthfully reply to such questions as might be put to him, he was interrogated as to his name, surname, age, country, origin, civil status and occupation, replying that his name is José R. Vargas, 43 years of age, a Peruvian citizen, born in Lima but a resident of Tacna, and a transient in this place owing to his expulsion from Tacna by the Chilean authorities, that he is married and a clerk by occupation. Upon being examined according to the questionnaire given on the first page, he replied to the first question that: The only reason why the Chilean authorities expelled him from Tacna was due to his Peruvian nationality; that his expulsion took place on the 31st of January, 1922; that the Chilean authorities notified him through the police to leave Tacna, at the very latest, within 20 days; that before the time limit expired, deponent went to see the Intendente, Barceló Lira, requesting a delay of 10 more days, which was granted upon proof being furnished, through a medical certificate, of the illness of deponent's mother, which certificate is signed by Dr. Samuel Medina, which deponent exhibits; that upon the expiration of the time limit he was compelled to go from Tacna, leaving his mother, his wife and his sister there with none to look after either them or his affairs; that deponent gave no cause for being thus violently expelled and that his conduct had ever been orderly, as both the local authorities and neighbors can testify. In reply to the second question deponent states that during his residence in Tacna, where he has lived since he was 2 years old, the abuses committed by the Chilean authorities against Peruvian citizens have been innumerable; that deponent recalls the attack against the Peruvian Union Club in Tacna, which was entirely destroyed by a mob of Chileans protected and led by Chilean authorities; the attack and total destruction of the printing establishments belonging to the Peruvian papers *La Voz del Sur* and *El Tacora* of Tacna; the attack on the establishment of Manuel Sologuren, a native



and resident of Tacna, who was beaten in the most cowardly fashion solely on account of his Peruvian nationality; and likewise the mass expulsions from Tacna and Arica of all Peruvians, it being common knowledge that the greater part thereof have been recently sent to work Copiapó, a Chilean city lately destroyed by the earthquake. In reply to the third question he stated that at present the Chilean authorities compelled the Peruvian youth of these provinces to fulfill their military service in the Chilean army, and upon their refusal to do so they are expelled or imprisoned and considered as Chilean deserters. Whereupon his examination was concluded which, upon being read to him, was ratified by him, deponent adding that subsequent to his expulsion from Tacna, his mother being gravely ill, deponent managed to secure permission to return for 8 days, owing to the intercession of the Italian Consul, Andres de Laneri, to see his mother, who was the daughter of an Italian subject; but he was not allowed to go into Tacna and he was compelled to undergo great anguish of being so near but yet not seeing his mother during the last hours of her life. In testimony of which deponent ratified and signed the present sworn statement together with and in the presence of the Judge and myself, to all of which I likewise certify.—*Gómez Carrera; José R. Vargas; Lucio López.*

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In Locumba, Provisional Capital of Tacna, on the 4th of September, 1923, in public session of this court, Vicente Eyzaguirre appeared for the purpose of giving his sworn testimony and upon being required by the Judge to speak the truth and advised of the penalties which a contrary course would involve, and having sworn to truthfully reply to such questions as might be put to him, he was interrogated as to his name, surname, age, country, residence, civil status and occupation, replying that: His name is Vicente Eyzaguirre, 34 years of age, a Peruvian citizen, born in Tacna and at present residing in this place after having been expelled from Tacna by the Chilean authorities, that he is married and a carpenter by trade. Upon being examined according to the questionnaire given on the first page, he stated, in reply to the first question, that: The Chilean authorities wished to compel him to effect his military service, to which he demurred, owing to his Peruvian nationality, and for this reason deponent and his brother, Manuel Jesús Eyzaguirre, were compelled to leave the town where they were born. In reply to the second question deponent said that he is familiar with the savage attacks



which the Chilean authorities, relying on their strength, continually commit against Peruvian residents of the Provinces in occupation; that as deponent refused to carry out military service, he was notified by the authorities to immediately leave the city of Tacna, and that, should he refuse to leave voluntarily he would be expelled by the police; that he was threatened and abused and that before the expiration of the time limit granted to him, which was 8 days in all, he was compelled to leave Tacna with his brother and was later allowed to have the rest of his family come out to him; that the Chilean authorities imposed severe penalties on such Peruvian citizens as made delay leaving their native land; they are imprisoned and attacked with swords by the Chilean police and are refused every commodity, even food being at times denied them; that a specific case he recalls is that of the Reynoso brothers, who were accused of having set fire to Dr. Basadre's country house, and with regard to whose fate nothing has ever been known to this day, although their families have exhausted every means of search, the general impression being that they were ordered to be shot; that up to April 5, date on which deponent left, he can testify that the Chilean authorities have greatly intensified their measures of expulsion against Peruvian citizens; that the Peruvian citizen, Jose Siña, was expelled from Tacna and grossly ill treated in Arica, being flogged and threatened with swords until his clothes were torn from his person and he was left nearly naked; that many Peruvians are put to hard labor in the ruins of Copiapó and Coquinbo, being taken thither from Tacna and Arica like prisoners; that the Chilean authorities, so as to avoid the protests from the Peruvian Government, have adopted the method of sending all Peruvian deportees to the south of Chile; that Peruvian citizens are compelled to serve in the Chilean army and are treated with no regard whatsoever; that one of the abuses which have awakened widespread indignation has been the setting fire to "Laura" at Rocolay, the country estate belonging to Dr. Alberto Basadre, a Peruvian physician now dead, and that to ascertain who would carry out this deed, three Chilean soldiers drew lots, Sargeant Maranga being designated, being later found completely burned in one of the wrecked rooms of the house; that this man had entered by means of a rope ladder, which was later found hanging from the roof, but had evidently been unable to escape, several kinds of weapons being found on the body such as a dagger, a revolver and a blackjack; that all Peruvians who refused to serve



in the Chilean army are apprehended and put up for trial in the Criminal Court of Tacna, the sentences being published in the paper *Lel Pacifico* of that city, and they are continually accused of imaginary crimes so as to compel them to leave the place of their birth. In reply to the third question, deponent states that as he has been expelled and living in this place, he has not seen more than what he has testified to already; whereupon his examination was concluded, deponent ratifying and signing the present sworn statement together with, and in the presence of, the Judge and myself, to all of which I likewise certify.—*Gómez Carrera; Vicente Eyzaguirre; Lucio López.*

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In Locumba, Provisional Capital of the Department of Tacna, on September 4, 1923, in public session of this court, Manuel Eyzaguirre, appeared for the purpose of giving his sworn testimony and upon being required by the Judge to speak the truth and advised of the penalties which a contrary course would involve, and having sworn to truthfully reply to such questions as might be put to him, he was interrogated as to his name, surname, age, country, residence, civil status and occupation, replying that his name was Manuel Jesús Eyzaguirre, 23 years of age, a Peruvian citizen, at present residing in this place owing to having left Tacna because the Chilean authorities persecuted him in an endeavor to compel him to serve in the Chilean army; that he is married and a merchant by occupation. Upon being examined according to the questionnaire given on the first page, he replied to the first question that: As he has already testified, he was not expelled from the city of Tacna, but was compelled to leave that city where he was born, because the Chilean authorities wished to compel him to serve in the Chilean army, although he had stated he could not do so owing to his Peruvian nationality; that he likewise declared the same to the Judge of the Criminal Court of Chile in Tacna, who wished to sentence him to serve two years in the Chilean army and to 50 days' imprisonment because he had not served on reaching his eighteenth year, nor has he since served. In reply to the second question, deponent declared that the Chilean authorities expelled the Peruvian residents in the Provinces of Tacna and Arica; that they endeavor to compel Peruvians born in those provinces to serve in the Chilean army, and pay no heed to their protests respecting their Peruvian nationality, and for this reason numbers are obliged to flee from



the place of their birth, while those who are caught are severely punished for their refusal to change their nationality; that Chilean police agents commit all manner of abuses against Peruvian residents of Tacna and Arica, especially the head of the Secret Service, Manuel Barahona, and that he is able to name, as specific cases of such abuse, those of Miguel and Mateo Reynoso, Vigil and his family, Alberto and Juan Rejas, Moisés Espinoza, Teodoro Cáceres, Ramon Vildoza and many other Peruvian citizens. In reply to the third question, deponent stated that the last occurrences dealing with the expulsion of Peruvians from the Irredentists of provinces of Tacna and Arica of which he has any knowledge, relate to the persecution of young Peruvians born in those provinces, to compel them to serve in the Chilean army; the deporting of Peruvians to the south of Chile to prevent their taking part in the plebiscite, in case this should be held; the disappearance of the young men, Miguel and Mateo Reynoso and Vigil, on whom the Chilean authorities wished to fasten responsibility for the burning of the Basadre place when this was the work of Sergeant Moraga, who perished while trying to escape from the burning building; and the abuse committed against Teodoro Cáceres, who has been inhumanly treated by the secret police agents of Chile. The testimony of the witness having been concluded, its contents were read to him and duly ratified by him, deponent adding that he has positive information on this matter because it was related to him by the First Sergeant of the Chilean regiment "Velazquez" called Jorge Dubreil, that the authors of the burning of Dr. Basadre's house were the Sergeants Moraga and Pizarro, both belonging to the Chilean regiment "Lanceros," and others. Deponent ratifies this further declaration which was duly read to him, signing his deposition in the presence of and with the Judge and myself, to all of which I hereby certify.—*Gómez Carrera; Manuel J. Eyzaguirre; Lucio López.*

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To the Judge of the Primary Court of Claims:

Leónidas Febres, in the matter of the testimony relative to the abuses committed by the Chilean authorities against Peruvian citizens of Tacna and Arica, hereby states that:

I desire the testimony to be taken of Moisés Espinoza, widower, a tailor by trade, who was expelled by the Chilean authorities of Tacna on August 20, last.

Espinoza reached this city in a pitiable condition, accompanied by his small children, both under age.

Therefore: I request that a day and hour be appointed so that the witness may give his testimony in agreement with the questionnaire furnished on page 1.

Locumba, September 4, 1923.—*Leónidas Febres*.

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Locumba, September 7, 1923. Receipt of the above is duly acknowledged. Let the testimony of Moisés Espinoza be taken, appointing the session of the 7th inst., for the purpose.—*Lucio López*.

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I immediately notified Dr. Leónidas Febres of the preceding degree, receiving his signed acknowledgment.—*Leónidas Febres; Lucio López*.

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I immediately proceeded to notify Moisés Espinoza and left with him a copy of the summons to appear, receiving his signature.—*Juan M. Espinoza; Lucio López*.

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In Locumba, this 7th of September, 1923, in public session of this court, Moisés Espinoza appeared for the purpose of giving his sworn testimony, and being required by the Judge to speak the truth and advised of the penalties which a contrary course would involve, and having sworn to truthfully reply to such questions as might be put to him, he was interrogated as to his name, surname, age, country, place of birth, civil status and occupation, replying that his name is Moisés Espinoza, 38 years of age, a Peruvian citizen, born in the city of Tacna, a transient in this city, having been expelled from Tacna by the Chilean authorities, that he is a widower and a tailor by trade. Interrogated according to the questionnaire on page 1, he replied that: Without any previous warning he was notified to leave Tacna, because of his Peruvian nationality and owing to his refusal to serve in the Chilean army, which the Chilean authorities endeavored to have him do; that, in addition, he could not leave his mother, already advanced in years and who was sick, and still less his father; in reply to the second question, deponent replied that he is fully aware of the innumerable abuses which the Chileans commit against the Peruvians in Tacna and Arica; that Chilean soldiers lead Peruvians through the public streets, their hands secured behind their backs by handcuffs, imprisoning them in the police barracks, and while there the prisoners are inhumanly struck and



flogged with no consideration whatsoever; that the worst enemy of the Peruvians is a person called Manuel Barahona, who is head of the Secret Service, the principal instrument whom the Chilean authorities possess and whom they make use of to carry out all the abuses which are committed daily; that Barahona called almost every day at deponent's house to insist on his leaving the city of Tacna, stating that that territory belonged to Chile for Chileans had bled to secure it; that in view of the notification he received, he was compelled to leave without any resources, and leaving his aged parents unprotected and unprovided for, since they were dependent upon him, as well as losing his business; that he left on Tuesday, the 28th of August, with his two small children, Sylvestre Hermojenes and Carmen Mariana by name, the first 11 and the second 8 years old; that Barahona gave him a passport which he exhibits and which is attached to this deposition; that at 11 P. M. on the 28th of August he passed the Chilean post on the Sama frontier; that the Chilean sentry had pity on him and told him to proceed without further ado and although he had orders to search all baggage, deponent was not molested, the sentry stating that he was a human being like himself; that criminal action was begun against deponent in the Criminal Court of Tacna where he was classed by the Chilean authorities as a deserter, and as the verdict was against him, he was obliged to appeal to the Superior Court of Iquique; that the Clerk of the Court endeavored to exploit deponent, making him pay 20 pesos for the notification made to him, and took from him by force 10 pesos and later tried to make him pay an additional 25 pesos, although he had not forwarded his appeal to the higher court; that Peruvian citizens appealed against the sentences imposed on them by the lower court, but that these are never sent up to the higher tribunal through fear that it would revoke the sentences imposed, as has happened on several occasions. In reply to the third question deponent states that expulsions of Peruvians are increasing daily, either prior via Arica or via Sama; that the Chilean authorities have decided to draw a cordon of troops around the frontier at Sama, to prevent the return of any Peruvian citizens and prevent likewise the exploration of merchandise; that deponent witnessed the surrounding of the residents of the Peruvian citizen Rufino Flores by Chilean commissaries because they believed he had hidden the Peruvian gentlemen Guillermo and Alberto Basadre, who had been prevented from returning to Tacna although they held the necessary passports; that the

Government of Chile commits innumerable savage acts against the Peruvians of Tacna and Arica, and that the purpose of the policy of Chilenization is to secure the triumph of Chile in a plebiscite. Whereupon deponent's testimony was concluded and on being read to him was ratified by him and signed with, and in the presence of, the Judge and myself, to all of which I hereby certify.—*Gómez Carrera; Juan M. Espinoza; Lucio López.*

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In Locumba, September 7, 1923. It is ordered that the passports granted to Juan Moisés Espinoza exhibited when giving his testimony, be added hereto.—*Lucio López.*

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I immediately notified Dr. Leónidas Febres of the preceding decree, of which he took due note and signed with me.—*Leónidas Febres; Lucio López.*

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Locumba, September 7, 1923. The complete testimony having been duly taken as above, ordered: That the same be delivered to Dr. Leónidas Febres.—*Lucio López.*

I thereupon notified Dr. Leónidas Febres of the above decision, of which he took due note and signed with me.—*Leónidas Febres; Lucio López.*

José Mariano Bustamante y Rada, President of the Superior Court of the Judicial District of Arequipa;

I certify that the signature at the foot of the testimony given by Moisés Espinoza contained on pages 10 to 12 and which reads "Gómez Carrera," is authentic and is that which is used by the Judge of the Primary Court of Claims of the Province of Tacna in the exercise of his official functions.

Arequipa, October 23, 1923.—*José M. Bustamante y Rada.*  
(Seal of the Superior  
Court of Justice of Arequipa)

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Legalized in the Ministry of Justice, Public Worship and Education. Lima, November 8, 1923.—*J. Ego-Aguirre*, Minister of Justice.  
(Seal of the  
Ministry of Justice)

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The preceding signature of the Minister of Justice, Dr. J. Ego-



Aguirre, is hereby legalized in the Ministry of Foreign Affairs. Lima, November 10, 1923.—*César A. Elguera*, Under Secretary of Foreign Affairs.

(Seal of the Ministry  
of Foreign Affairs)

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I, Claude E. Guyant, Consul of the United States of America at Lima, Peru, do hereby certify that the signature of Cesar A. Elguera, as "Official Mayor," and the seal of his office as appearing on the annexed document are true and genuine and entitled to full faith and credit. Witness my hand and official seal at Lima, Peru, this 12th day of November, 1923.—*C. E. Guyant*, Consul.

(Seal of the American  
Consulate General)

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**Affidavit sworn to by the Peruvian citizen, Antero Berrios Gil,  
Before the Notary J. Vicente Alarcón of La Paz, Bolivia.**

Testimony of the complaint made by the Peruvian citizen Antero Berrios Gil, to the authorities of the Republic of Peru, treating of the suffering and ill-usage meted out to him by the Chilean authorities of Tacna, until he was compelled to leave that territory. La Paz, October 13, 1923. To the supreme Government and constituted authorities of the Republic of Peru. The undersigned, Antero Berrios Gil, a Peruvian citizen, born in Tacna, 26 years of age, single, bookkeeper by occupation, momentarily residing in this city, brings the following complaint to your attention: On June 3, 1919, I happened to be in my native city of Tacna, convalescing from typhus, and having proceeded from Locumba, when I was summoned by the Chilean police authorities of Tacna, to appear at the police station. As soon as I had reached the place and together with Pedro Quea Sologuren, a Peruvian citizen, who had likewise come from Locumba, I was brought before the Police Commissioner who asked me to sign the following declaration which was already drafted:

"On June 3, 1919, the Peruvian citizens Pedro A. Quea Sologuren and Antero Berrios Gil, residents of this city, appeared before me and stated that last April they decided to travel to Lima, the first named for the purpose of attending to an illness to his eyes and the second as companion to the former; that Mr. Hector Véliz, Sub Prefect of Locumba, who happened at the time to be in Tacna, informed them that they could proceed by land as far as his Department, where he

would give them the necessary facilities for their passages for the account of the Peruvian Government; and relying on this promise they departed from this city on the 12th inst., arriving at Locumba the day following, where Mr. Véliz informed them that the orders for three passages had been suspended, but that should they sign a protest stating that they had been expelled from Tacna by the authorities, he would undertake the necessary steps so that they might proceed upon their journey; that they declined to entertain the suggestion, stating that they thought it neither reasonable nor prudent to sign such declaration as they had not been expelled and that, in view of the difficulties with which they were confronted, they had decided to return to this city. Mr. Véliz replied that they were the ones called upon to make a decision, whereupon they began the return journey, arriving here on the 17th of the same month. In testimony whereof the interested parties signed this declaration together with the undersigned witnesses.—*Pedro Arístide-Quea Sologuren; Antero Berrios Gil.*"

Having refused to sign the declaration owing to its absolute inaccuracy, for it was nothing more than a calumny invented for the purpose of proving that Peruvians are not expelled from the Provinces of Tacna and Arica, and that these, themselves, publicly declare the same, the police commissioner informed me that Quea Sologuren (who had been intimidated) would sign it. Notwithstanding this assurance I refused once more to sign, but I was coerced and threatened that, if I did not sign, I would never leave the police station and that I would suffer the grave consequences which my refusal would involve. I then understood that I would be made to suffer in my person the abuses, vengeance and persecutions which my fellow-citizens continually have to endure in these provinces; and upon further threats I was obliged to sign that document together with Quea, it being the very same which appears inserted in the volume "*Hacia la Solución*" (Looking Towards the Solution), pp. 265, 266 and 267, published last year by D. Ernesto Barros Jarpa. Therefore, as at present I am freed from the coercion, violence and persecution of the Chilean authorities and am in a country where aliens can secure proper guarantees, I affirm that the previously mentioned declaration which appears in the volume aforesaid, signed by me, was wrested from me by violence and in view of the circumstances, which I dreaded, that vengeance would surely be wreaked upon the person of my mother, who is already advanced in years and with whom I desired to live since I am her only son and means of support, should I refuse to sign the already mentioned declara-



tion; I maintain my present testimony and deny the truth of the contents of the former, which I made the mistake of signing, due solely to the hard circumstances with which I was confronted and the threats of which I was repeatedly the victim. I therefore beg to bring the preceding matter to your attention, desiring you to adopt such measures as you may consider appropriate.—*Antero Berrios Gil*.

The above is a faithful copy of the original upon which I rely, the present copy being furnished at the request of the interested party and for such further requirements as may seem fit. Given in the City of La Paz (Bolivia), on October 19, 1923. *Note:* The originals have been returned to the interested parties upon their request.—*J. Vicente Alarcón*, Notary.

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The President of the Superior Court of Justice of the District of La Paz (Bolivia) Certifies: That the preceding name and signature which appear at the foot of the above testimony are authentic and are those used by J. Vicente Alarcón, who legally fulfills the functions of a notary public of the First Class in this city. La Paz, October 31, 1923.—*Enrique Mallea Balboa*.  
(Seal of the Court.)

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A. S. Saavedra, Prefect and Commander-in-Chief of the Department certifies: That the above name, signature and seal are those which the President of the Superior Court of Justice of this city, Dr. Enrique Mallea Balboa, uses in the exercise of his functions.—La Paz, Bolivia, October 31, 1923.—*A. S. Saavedra*.

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La Paz, November 3, 1923. For the legalization of the above name and signature of Mr. Abdón S. Saavedra, Prefect and Commander-in-Chief of the Department of La Paz, and in actual exercise of his functions.—*E. Diez de Medina*, Under Secretary Foreign Affairs.  
(Seal of the Ministry of Foreign Affairs.)

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For the legalization of the above name and signature of the Under Secretary of Foreign Affairs of Bolivia, Dr. Eduardo Diez de Medina, in actual exercise of his functions. La Paz, November 3, 1923.—*E. Garland Roel*, Charge d'Affaires of Peru in Bolivia.  
(Seal of the Legation of Peru.)

For the Legalization by the Ministry of Foreign Affairs for Peru of the above signature of the Charge d'Affaires of Peru in Bolivia, Mr. E. Garland Roel. Lima, November 17, 1923.—*César A. Elguera*.

(Seal of the Ministry of Foreign Affairs.)

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I, C. E. Guyant, Consul of the United States of America at Lima, Peru, do hereby certify that the signature of Cesar A. Elguera as Official Mayor (Under Secretary of Foreign Affairs) and the seal of his office as appearing on the annexed document are true and genuine and entitled to full faith and credit.

Witness my hand and official seal at Lima, Peru, this 19th day of November, 1923.—*C. E. Guyant*.

(Seal of the American Consul General.)

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**Extract from La Nación of Santiago. Issue of Sunday, July 16, 1922.**

## NATIONAL CONGRESS

### CHAMBER OF DEPUTIES

*(Official Report)*

38th Ordinary Session of the 15th of July, 1922

*Mr. Rivas Vicuña*, Presiding

Session opened at 5:15 P. M.

\* \* \* \* \*

MR. CRUZ: I have no doubt that the Honorable member is quite familiar with the problems which specially affect the nitrate region, but the Member has not lived in that province, or if he has it will have been some time ago, but not during the recent years. The Honorable Member cannot know the province as I do, nor has he had to suffer from the arbitrariness of the authorities and especially the injustice for which Sr. Recaredo Amengual is responsible. I challenge the Honorable Member to call a secret session of this House, when I shall be able to prove that the official in question, who is considered by the Honorable Member to be so high minded and honest, in company with a villain has seriously compromised our national dignity.



MR. TIZZONI: But why a secret session?

MR. CRUZ: Because the matter possesses international aspects.

MR. BRIONES LUCO: The conduct of Governor (Intendente) Amengual in the case to which the Honorable Member refers, received the unanimous approval of this House.

MR. CRUZ: It must be recalled that in this House, during the last period, when accusations were made respecting the outrages committed against Peruvian residents, the gentleman who directed this band of ruffians (Mafia) which destroyed the homes of Peruvian residents, had the audacity to accuse the venerable priest Merino of being the accomplice in these outrages, when he, himself, was their instigator; nevertheless, I repeat, he was not ashamed, he did not scruple, to state that it was Father Merino, in complicity with the Socialists, who had committed these outrages for the purpose of loot, and of securing revenge. Such is the Governor of Tarapacá, whom the Honorable Member is so mistakenly defending.

MR. MENA: This is a very serious matter.

MR. CRUZ: Nevertheless it is scrupulously exact.

MR. BRIONES LUCO: All the records dealing with these events are in the hands of the Government, and they prove the complete baselessness of all the accusations which the Honorable Member now levels against the administrative actions of the Governor of Tarapacá, especially in an international matter as serious as this, which the Honorable Member, with unpardonable thoughtlessness, has brought to the attention of the House.

MR. CRUZ: That is exactly where the Honorable Member shows his ignorance. That is why I wish to call a secret session, so as to prove to the House that the Governor of Tarapacá, in league with a villain, has imperiled the honor of the nation.

MR. BRIONES LUCO: It would seem that the Honorable Member, in addition to being unfair, is treading on ground I hardly care to qualify through respect for the House; it looks as though the Honorable Member for Pisagua cannot control his utterances.

\* \* \* \* \*

## Affidavit of Sr. Gerardo Vargas H.

ARICA, *August 11, 1904.*

DR. JAVIER PRADO Y UGARTECHE,

Envoy Extraordinary and Minister Plenipotentiary of Peru to the Argentine Republic, Buenos Aires.

SIR: I have greatly delayed carrying out my promised task, which you charged Sr. Emilio Bravo and me when you passed through this port on your way to Buenos Aires, to send you directly, as we now have the pleasure to do, the statistical data relative to the population of the provinces of Tacna and Arica.

When we promised that we would secure this information within fifteen days, it was because we believed that it would be easy to obtain such information relative to Tacna within that time; since that relative to Arica we already possessed. Unfortunately the friends to whom we wrote did not fulfil their promises, so that in agreement with Sr. Bravo and the newly elected President of the Peruvian Benevolent Society, Carlos M. Vives, I was obliged to proceed personally to Tacna, which I did last Saturday, from which place I sent you the telegram to Santiago.

The only fellow-countryman in that city who possesses the data you require, is Sr. Carlos Basadre y Forero, former Minister of Development (Fomento) and ex-Senator for Tacna Libre. I may say that this gentleman is one of the few who, in Tacna and Arica, has studied very thoroughly all the problems relating to these provinces. This I gather from a perusal of the important correspondence which, from 1896 to 1900 inclusive, this gentleman kept up with Sr. de la Riva-Aguero, who doubtless must still have it in his possession, because Sr. Basadre tells me that he believes it is not to be found in the files of the Ministry of Foreign Affairs. This correspondence contains data of every kind relative to the plebiscite; to the commercial and strategic importance of the territories; to the population and finally, to those measures which should be adopted to counteract the Chilenization methods. Sr. Basadre did not scruple to acquaint me with this information, that is to say, as regards the vital statistics of the inhabitants, which are based upon trustworthy calculations, derived from the results of the secret Census. That relative to the *Peruvian* population of Tacna refers to the year 1896; but I am in agreement with Sr. Basadre in believing that this has not experienced any noticeable alteration, although a few hundred



fellow-countrymen have emigrated owing to the business depression in these territories. But when the date of the plebiscite shall be within sight, all would return to take part in this long-wished for event, which would determine the nationality of this portion of Peruvian soil.

Here are the figures I have secured with reference to the *Peruvian population*, in 1896, of the

#### DEPARTMENT OF TACNA

<i>Tacna</i> (Urban) which includes the Callao, San Ramon, Mercado and Alto de Lima sections.....	9,418 inhabitants
(Rural) Pocollay and Piedra Blanca, Calana and Pachía.....	1,368 inhabitants
Palca and Quebrada.....	1,007 inhabitants
Sama and Quebrada.....	1,800 inhabitants
Tarucachi, Estique and Tarata.....	2,926 inhabitants
	<hr/>
	16,519 inhabitants

#### DEPARTMENT OF ARICA IN 1904

<i>Arica</i> (Urban) which includes the Pescadores, San Marcos and Lumibanga sections.	2,913 inhabitants
Azapa and Quebrada.....	650 inhabitants
Lluta and Quebrada.....	1,132 inhabitants
Putre.....	1,079 inhabitants
Belen.....	799 inhabitants
Codpa.....	1,000 inhabitants
	<hr/>
	7,573 inhabitants

#### TOTALS

Department of Tacna (Peruvian population).....	16,519
Department of Arica (Peruvian population).....	7,573
	<hr/>
	24,092

#### CHILEAN POPULATION

##### *In Tacna:*

In the Intendency.....	6
In the Municipality.....	5
Newspaper office of <i>El Pacífico</i> .....	5
Post Office.....	5
Telegraph office.....	5
Court of Appeals.....	12
Magistrates Court, Notaries, Registrar's office...	6
Police and Gaol.....	100
Battalion "Rancagua".....	450
Pontoon "Atacama".....	90
Police and officials in various districts.....	30
Other occupations, in all the Department.....	80

Brought forward.....	794
<i>In Arica:</i>	
Departmental works.....	4
Municipality.....	4
Customs and Port Police.....	25
Captaincy of the Port.....	8
Magistrate's Court, Notaries and Registrar's office.	5
Post Office.....	4
Police and Gaol.....	60
Guild.....	5
Other occupations.....	30
In the districts.....	60
	<hr/> 205
Total Chilean population in Tacna and Arica.....	<hr/> 999

#### ALIEN POPULATION

<i>In Tacna:</i>	
Bolivians.....	400
Italians.....	100
Chinese.....	120
Spaniards.....	10
Germans.....	12
French.....	8
English.....	8
Other nationalities.....	10
	<hr/> 668
<i>In Arica:</i>	
Bolivians.....	80
Italians.....	70
Chinese.....	40
Spaniards.....	2
Germans.....	6
French.....	4
English.....	3
North Americans.....	1
Greeks.....	5
Other nationalities.....	5
	<hr/> 216
Total foreign population in Tacna and Arica.....	<hr/> 884

Peruvians in Tacna and Arica.....	24,092
Chileans in Tacna and Arica.....	999
Aliens in Tacna and Arica.....	884
	<hr/> 25,975



According to Sr. Basadre, Peruvians over 21 years of age or married under that age are as follows:

In Tacna.....	2,500
Tarata.....	500
Arica.....	1,000
	<hr/>
	4,000
Non-military Chileans in Tacna and Arica.....	299
Aliens.....	884
	<hr/>
	1,183

As you will see, therefore, the Peruvian population in both provinces possesses an overwhelming majority upon the Chilean population, capable of voting in the plebiscite. As to the alien population, we may consider that more than 50% would be on our side, especially the Italians, who are the more numerous (not counting the Bolivians) and influential. Only in the event of the building of the railroad from Arica to Tacna to Bolivia would we be outnumbered, because in that event the work would be carried out by about 5 or 6 thousand Chilean citizens, who would endeavor to vote in the plebiscite. The rumors with regard to the building of this railroad have been circulating insistently during the last few days; these have been strengthened owing to the arrival from Santiago with Sr. Lira, the Intendente, of the engineers, Mr. Clark (builder of the Trans-Andean R. R.), Lastarria and Harding, who proceeded on their journey to La Paz via Mollendo and who, from that Bolivian city, intend to return to this by road, surveying the road of this R. R. in project.—GERARDO VARGAS H.

**Affidavit made by Sr. Gerardo Vargas H. before Judge Juan Gallagher y Canaval in the matter of the subpoena issued at the instance of the District Attorney.**

Questions to be submitted to and answered by Sr. Gerardo Vargas H. before the appropriate judicial authority.

- 1st. Is it not true that you were Secretary of the Peruvian Benevolent Society, established in the port of Arica, from 1886 to 1911?
- 2nd. Is it not true that as Secretary of the Society your duties consisted in drawing up the vital statistics or Census of the Peruvian population of Tacna and Arica?

3rd. Is it not true that in addition to the data relative to the Peruvian population, you collected figures respecting the Chilean and foreign populations in both cities?

4th. Is it not true that in 1904 you sent to Sr. Javier Prado y Ugarteche, at the time Minister of Peru in Buenos Aires, the letter copy of which is now submitted to you?

The above is a true copy of the questionnaire submitted. Lima, October 2, 1923.—EDUARDO LAOS GONZALES, *State Notary*.

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LIMA, *October 2, 1923.*

In compliance with the request of the District Attorney in his communication of this date, it is resolved that Sr. Gerardo Vargas H. be notified to appear on the 6th instant at four o'clock p. m. to make the necessary affidavit.—GALLAGHER Y CANAVAL; LAOS Y GONZALES.

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On the same date I communicated the contents of the above subpoena to the District Attorney.—LAOS GONZALES.

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Sr. Gerardo Vargas H. was immediately notified respecting the same subpoena.—LAOS GONZALES; GERARDO VARGAS H.

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In the City of Lima, on the 6th of October, 1923, at 4 p. m. in obedience to the orders issued, Gerardo Vargas H., of legal age, appeared and was duly sworn according to law by the judge and the above questions submitted to him, to which he replied as follows:

Question 1. That this question is true in all its bearings.

Question 2. That this question is likewise true.

Question 3. That this question is likewise true.

Question 4. That this question is likewise true and that it is also true that he sent the letter, copy of which is now shown him, on the 11th of August, 1904; that he ratifies its contents in the sworn testimony now being taken. He also ratifies the declaration read to him and signs together with the Judge in my presence.—(Sgd.) GALLAGHER Y CANAVAL; GERARDO VARGAS H.; LAOS GONZALES.

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LIMA, *October 6, 1923.*

The enquiry having been effected let the proceedings be submitted.—LAOS GONZALES.



Under this same date the District Attorney was duly notified of the result.—LAOS GONZALES.

The decree was also brought immediately to the knowledge of Sr. Gerardo Vargas H. who signs with me.—GERARDO VARGAS H.; LAOS GONZALES.

Legalized in the Superior Court of Justice. Lima, October 9, 1923, The President, AUGUSTO VILLAGARCIA.

Legalized in the Ministry of Justice, Religion and Education, Lima, October 9, 1923.—JULIO EGO AGUIRRE.

Legalized in the Ministry of Foreign Affairs. Lima, October 9, 1923, The Chief Clerk, CESAR A. ELGUERA.

Legalized in the American Consulate General in Lima, October 9, 1923.—C. E. GUYANT, Consul.

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## No. 5

MANUEL PARDO, President of the Republic. Wherefore: Congress having passed the following law: The Congress of the Peruvian Republic, one of whose attributes is the dividing and demarking of the national territory, has passed the following law:

*Article 1.* The Province of Tacna shall be divided into two parts, one of which shall be called "Province of the Enclosure (Cercado) of Tacna" and the other "Province of Tarata."

*Article 2.* The Province of Tacna shall consist of the districts of Tacna, Pachia, Calana, Sama, Locumba and Ilabaya.

*Article 3.* The Province of Tarata shall consist of the districts of Estique, Tarucachi, Tarata, Ticaco and Candarave, and its capital shall be Tarata.

To be sent to the Executive so that he may take the necessary steps for its fulfillment.

Given in the Hall of Sessions of Congress, in Lima, November 11, 1874—FRANCISCO DE P. MUÑOZ, President of the Senate; R. RIBEYRO, Vice-President of the Chamber of Deputies; *Pedro A. del Solar*, Secretary of the Senate; *Emilio A. del Solar*, Secretary of the Chamber of Deputies—therefore: I order that the above be printed, made known and distributed and that compliance be duly accorded thereto. Given in the Government Palace in Lima, November 12, 1874.—M. PARDO; *Ricardo W. Espinosa*.

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## No. 6

MANUEL PARDO, President of the Republic of Peru. Whereas: Congress of the Republic has passed the following law: The Congress of the Peruvian Republic: Having taken into consideration that it is necessary to divide the district of Candarave, belonging to the Province of Tacna, has passed the following law which consists of the following single article. Out of the villages and settlements of Curibaya and Guanuará, belonging to the district of Candarave, of the Province of Tacna, a new district shall be brought into existence the capital of which shall be the town of Curibaya.

Let the above be communicated to the Executive so that he may issue the necessary orders looking to its fulfillment.

Given in the Hall of the Sessions of Congress on January 30, 1875—FRANCISCO DE P. MUÑOZ, President of the Senate; R. RIBEYRO, Vice-President of the Chamber of Deputies; *P. A. del Solar*, Secretary of the Senate; *Emilio A. del Solar*, Secretary of the Chamber of Deputies.



Therefore: I order that the above be printed, made known and distributed and that compliance be duly accorded thereto. Given in the Government Palace in Lima, February 5, 1875.—M. PARDO; *Aurelio García y García*.

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## No. 7

MANUEL PARDO, President of the Republic. Whereas: Congress of the Republic has passed the following law: Congress of the Peruvian Republic having taken into consideration that the Province of Moquegua possesses all the necessary requisites to become one of the important territorial divisions of the State: Has passed the following law:

*Article 1.* The Province of Moquegua, in the Department of the same name, is hereby raised to the category of a seaboard province, preserving the same boundaries which at present divide it from those of Tacna, Arequipa, Chucuito and Tarata, and a number of districts by which it is at present made up.

*Article 2.* The former Department of Moquegua shall in future be known as "*Department of Tacna*," and the new province shall be called "*Seaboard Province of Moquegua*."

*Article 3.* The authorities and officials of the Seaboard Province of Moquegua shall all be considered equally with and shall be paid the same salaries as those appointed to the Province of Tarapacá.

Let the above be communicated to the Executive so that he may issue the necessary orders looking to its fulfillment.

Given in the Hall of Sessions of Congress in Lima, June 16, 1875—FRANCISCO DE P. MUÑOZ, President of the Senate; MARIANO I. PRADO, President of the Chamber of Deputies; *P. A. del Solar*, Secretary of the Senate; *Emilio A. del Solar*, Secretary of the Chamber of Deputies.

Therefore: I order that the above be printed, made known and distributed and that compliance be duly accorded thereto. Given in the Government Palace in Lima, June 25, 1875.—M. PARDO; *Aurelio García y García*.

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## No. 8

### The Treaty of Ancon

This appears on page 171 of the Appendix to the Case of Peru.

No. 9

**Communication from the Officer in Command of the Chilean Forces in Occupation, to the Prefect of Chuquito.**

This exhibit appears on page 209 of the Appendix to the Case of Peru.

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No. 10

**Prefecture and General Headquarters of the Department of Puno.** Puno, February 4, 1884. No. 1. *To the Under Secretary of the Department of Foreign Affairs.*—Under date of January 23, last, the officer in command of the Chilean Divisions in observation in Tacna and Arica, advises as follows:

“Under this date I am informing the Commanding Officer of the forces in Tarata as follows: In view of the information which these Headquarters have obtained, relative to the boundary of the Province of Tarata which is to separate us from the Peruvian Republic, we find that the dividing line must be the Ticalaco Gap, following the most important flow of the waters as far as the highest point of the ridge (Cordillera) of the Andés, these waters being the principal affluents of the River Sama. In this understanding you will therefore exercise your authority to the South of the above-mentioned Gap, withdrawing the detachment which you at present have in Ticaco, and likewise informing the inhabitants of that town that they must apply to whomever it may concern respecting the authorities which are to govern them.”

All of which I have the honor to bring to your attention, advising you that this is a temporary boundary and therefore dependent upon such subsequent arrangements as may be concluded between both Governments. I am addressing this communication to you because I have been assured that that portion of the Province of Tarata belongs to the Department of Puno, which is under your jurisdiction.

All of which I in turn have the honor to transmit so that you may bring it to the attention of the Supreme Government for the latter's appropriate decision.—*J. M. Echenique.*

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No. 11

**Prefecture of the Seaboard Province of Moquegua.** No. 81. Moquegua, May 10, 1884. To the Under Secretary of the Ministry of the Interior: For such purposes as may be required, I am sending you copy of the communication which the Sub-



Prefect of the Province of Tarata has addressed to the Prefect of the Department of Puno, within whose jurisdiction this Province formerly lay, with regard to the boundaries which pertain to this Province.—*Ramón Freire.*

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## No. 12

**Sub-Prefecture of the Province of Tarata.** No. 1. To the Prefect and Commander-in-Chief of the Department of Puno. Sir: In compliance with the verbal instructions you gave me, I immediately went to Tarata, capital of this Province. A few moments after my arrival, I had an interview with the Commanding Officer of the Chilean Forces in Occupation, who informed me that he had received orders to occupy this town, that of Tarucachi and that of Estique, in proof of which he furnished me with copies of his orders, the same which I have the honor to enclose herewith so that you may be so good as to bring them to the attention of the Supreme Government; while I would ask to be allowed to inform you that the Ticalaco River is not the most important (principal) which, rising in the mountain ranges (Cordillera) falls into the Sama—as the Political Chief of Tacna assures—but the Estique, which is about two and one-half leagues from the town of Tarata, to the south, this is the reason why I believe that this is the river which must constitute the dividing line between the Provinces of Tacna and Tarata.

So as to avoid difficulties in future with the Chilean authorities of the City of Tacna, I consider it my duty to suggest that it would be expedient for our Government to appoint a commission of the principal inhabitants of this Province, assisted by a state engineer for the purpose of delimitating in conjunction with the Chilean Commission, the boundaries of this Province with that of Tacna.

The persons who could serve on a commission for the delimitation I have ventured to suggest, are: Sr. José Pozo, Sr. Tomás Lizandro Brum and Sr. Mariano Arce.—*Martín Flor.*

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## No. 13

THE PROVISIONAL PRESIDENT OF THE REPUBLIC, Whereas: The Constituent Assembly has passed the following law: The Constituent Assembly—Considering: that the Peace Treaty with Chile being approved it is necessary to define the future political

condition of the territories severed from the Department of Tacna which lie to the north of the river Sama.

That the seaboard province of Moquegua, owing to its geographical position and other circumstances in its favor, is called upon to be the centre of the group, formed by those territories, upon being raised to this category: Has passed the following law:

*Article 1.* The seaboard province of Moquegua is hereby raised to the condition of a Department, the territories severed from the Department of Tacna which lie to the north of the river Sama, being annexed thereto.

*Article 2.* The capital of the new Department shall be the city of Moquegua.

*Article 3.* The said Department shall consist of three provinces: the first shall be called Moquegua, and its capital shall be the city of the same name; the second, Puquina, and its capital shall be the town of Omate; and the third, Tarata, whose capital shall be the town of that same name.

*Article 4.* The Province of Moquegua shall contain the districts of Moquegua, Torata, Carhumas, Ilo, Locumba and Ilabaya, whose capitals shall be the townships of the same names.

The Province of Puquina shall contain the Districts of Puquina, Omate, Ubinas and Ichuña, whose capitals shall be the villages of the same names.

The Province of Tarata shall contain the districts it has at present with their same capitals;

*Article 5.* If, as a consequence of the plebiscite which is to definitely determine the condition of the Provinces of Tacna and Arica, these should be reincorporated with Peru, the National Assembly shall restore its former boundaries to the one-time department of Tacna, or shall frame such legislation as, according to the circumstances, it considers necessary.

To be communicated to the Executive so that he may resolve respecting the execution of the above provisions. Given in the Hall of Sessions of the Constituent Assembly on the 31st day of the month of March 1884. ANTONIO ARENAS, President of the Assembly; *Maximiliano Frias*, Secretarial Representative; *Juan P. Lanfranco*, Secretarial Representative. To His Excellency the President of the Republic: I, therefore, order the above printed, published and distributed and its provisions obeyed. Given in the Government Palace at Lima on the 1st of April, 1884.—MIGUEL IGLESIAS; *Mariano Castro Zaldivar*.



## No. 14

**Legation of Peru**, No. 77, November 14th, 1884. To the Minister of State in the Department of Foreign Affairs, Lima. Sir: I have before me your communication No. 93 of the 28th of last month relative to the decree which the Chief Political Officer of Tacna has issued, imposing a warrant tax on the inhabitants of Tacna.

As soon as I receive this dispatch I immediately had a conference with Sr. Vergara Albano, Minister of Foreign Affairs, with reference to this matter, believing it to be better, from every point of view, to ascertain the intentions of the Chilean Government before I took the matter up definitely by means of an official communication.

Sr. Vergara immediately declared that he was very much surprised that the Chief Political Officer of Tacna should have committed a mistake of such importance; that as far as he was concerned he was ignorant of the reasons upon which the decree in question had been based, and that the Chilean Government was determined to strictly comply with the stipulations of the Treaty of October 20th of last year.

With regard to this negotiation, he asked me in a friendly manner not to send him an official communication on the subject just yet, and to merely write him a personal letter so that he might show it to the President.

Next day I wrote him the letter, copy of which is enclosed.

Yesterday evening I was handed the communication a copy of which I likewise enclose.

Judging from its contents, the Chilean Government seems to be in the position of requiring to make a study of the matter and it appears to be animated by the best intentions with regard to the loyal interpretation of the stipulations contained in the Treaty of October 20th.

On my side I am awaiting new instructions relative to the course I shall follow, intending not to spare any effort to secure the fortunate conclusion of the claim we have initiated.—VIDAL GARCIA Y GARCIA.

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## No. 15

**Letter from the Peruvian Minister to Chile Addressed to the Minister of Foreign Affairs of Chile, Initiating the Claim Relative to Tarata, November 10, 1884.**

This exhibit appears on page 211 of the Appendix to the Case of Peru.

## No. 16

Santiago, November 13, 1884. Sr. Vidal Garcia y Garcia.  
Dear Sir and Friend: I have the honor to acknowledge the receipt of your esteemed letter of the tenth instant. I greatly regret not to be able to give you a satisfactory reply relative to the principal portion of the first part thereof; although I gave it to the President to read, we found ourselves confronted by the difficulty of not having either the accurate maps which have been made of the territories in question, nor any trustworthy data which we might adopt as a starting point. In this dilemma we have decided to ask the Chief Political Officer of Tacna to furnish us with the necessary antecedents so as to be able to discuss the matter when provided with a knowledge of the facts. I am your obedient servant, A. VERGARA ALBANO.

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## No. 17

SANTIAGO, *January 20, 1885.*

In agreement with the foregoing dispatch:

Decree: The Department of Tacna, of the Province of the same name, shall be divided into eight Sub-Delegations, which shall be given the boundaries, names and numbers which are herein expressed.

### *First Urban Sub-Delegation*

This shall comprise those portions of the city, valley and uninhabited land adjacent thereto contained within a line which, passing through Abtao street shall be continued to the north and south until it meets the Honda Gap and that of Camuñani, and another line which shall be the eastern boundary and which, parallel to the former and passing through Piedra Blanca, shall meet the same gaps already mentioned, leaving Piedra Blanca on the city side.

### *Second Urban Sub-Delegation*

The above-mentioned line which passes through Abtao Street, comprising the portion of the city, valley and uninhabited land adjacent thereto, shall be prolonged as far as Miller Street in a northerly and southerly direction by an imaginary line which shall meet the Honda Gap and as far up as that of Camuñani; this line being considered as the western boundary of the Sub-Delegation.



### *Third Urban Sub-Delegation*

This shall comprise the part enclosed between the line of Miller Street on the east and another which shall follow the railroad as far as the Camuñani Gap, prolonged in an imaginary direction up to the Honda Gap by the west.

### *Fourth Urban Sub-Delegation*

This shall comprise that portion of the city, valley and uninhabited lands adjacent thereto, between the railroad previously mentioned and the sea.

### *Fifth Sub-Delegation of Tarata*

Its boundaries shall be: To the north the River and Gap of Chaspaya, which is the same river as the Sama upstream; to the south the summits of the hills to the north of the gaps of the Caplina River and its affluents up to the summits of the cordilleras, where it will meet the limits of the town of Ancomarca, which belongs to the Sub-Delegation of Palca; to the east, the frontier of Bolivia and that of the Department of Puno; to the west the Pass of Sambalay.

This Sub-Delegation shall comprise the towns and settlements of Talabaya, Estique, Tarucachi, Tarata, Ticaco, Challaguaya, Sitajara, Tala, Pistala, Chucatamani, Londoniza, Putina, Yauroco, Coropuru, Maure and Cano. The Gaps of Chero and Quilla and their settlements shall likewise belong to its jurisdiction.

### *Sixth Sub-Delegation of Sama*

Its boundaries shall be: To the north and west, the boundaries of the territory; to the east, the Pass of Sambalay which separates it from the Sub-Delegation of Tarata; to the south, the Honda Gap in the center of the uninhabited land which occurs between the Valleys of Sama and of Tacna.

### *Seventh Sub-Delegation of Palca*

Its boundaries shall be: To the north, the summits of the hills which separate it from the Caplina Gap, belonging to the Sub-Delegation of Pachia; to the south, the Camuñani Gap, more or less on a line with San Francisco; to the east, the frontier of Bolivia; to the west, by a line which, starting from San Francisco towards the south shall meet the Camuñani Gap.

This Sub-Delegation shall comprise all the settlements which are to be found in the Palca, Higuerani, Viñani, Cobani and

Camuñani Gaps, from the summits of the Huailillas Chain to the San Francisco line.

It shall comprise that portion of the high table lands which contain the Indian villages of Cosapilla, Tacora and Ancomarca which are situated in the territory which extends between the summits of Huailillas and the frontier of Bolivia.

#### *Eighth Sub-Delegation of Pachia*

Its boundaries shall be: On the north, the Honda Gap on the same side and the summits of Caplina and its affluents on the Tarata side; to the south, the summits of the hills which separate it from the Palca Gap; to the east, the summits of the Queñuta and Barroso mountains; to the west, Piedra Blanca.

It shall comprise the towns and settlements of Calana, Pachía, Calientes and Challata.

The first four urban Sub-Delegations already mentioned shall each be divided into two districts, divided by Comercio Street, prolonged towards the east and west and following the public highway; the first of these districts shall always be the northern section and the second the southern section.

The 5th Sub-Delegation of Tarata shall be divided into three districts; the first called La Quebrada, shall comprise from Sambalay up to Pistala inclusive; the second district of Tarata shall extend from Pistala up to Tarata, including in this latter town Tarucachi and Maure; and the third district, called Estique, shall comprise from this place up to Challaviento inclusive.

The 6th Sub-Delegation of Sama shall be divided into three districts: the first called Tarata shall comprise from the coast up to Las Jaras inclusive; the second, called Sama Grande, shall extend from Las Jaras up to Coruca inclusive; and the third, called Coruca, shall comprise from this place up to Sambalay.

The 7th Sub-Delegation of Palca shall be divided into three districts; the first district called Tacora, shall comprise Cosapilla, Ancomarca and Pistana; the second district called Palcota, shall extend to Cobani, Chocani and Camuñati; and the third district, called Palca, shall comprise Caplina, Ataspaca and Yungani.

The 8th Sub-Delegation of Pachía, shall have two districts: the first called Pachía shall comprise San Francisco, Calientes, Tacuco and Challata; and the second called Calana, shall extend its jurisdiction to the place of this same name and its dependencies.

To be registered, communicated and published.—SANTA MARIA;  
*J. M. Balmaceda.*



**No. 18**

**Dispatch from the Minister of Foreign Affairs of Peru to the Chilean Minister in Lima, February 16, 1885, Insisting upon the Claim Respecting Tarata.**

This exhibit appears on page 214 of the Appendix to the Case of Peru.

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**No. 19**

**Dispatch from the Minister of Chile in Lima to the Minister of Foreign Affairs of Peru, Dated March 17, 1886.**

This exhibit appears on page 5 of the Appendix to the Case of the Republic of Chile.

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**No. 20**

MINISTRY OF FOREIGN AFFAIRS, LIMA, APRIL 2, 1886.

Sir: I have had the honor to receive your Excellency's dispatch in which you suggest that, for the purpose of obtaining an accurate and easy solution with regard to the manner of carrying out clause 3 of the Peace Treaty, it would be advisable to appoint a commission of two experts, one appointed by Chile and the other by Peru, to collect and study the necessary data after an examination of the course of the River Sama.

According to the contents of my predecessor's communication, addressed to that Legation under date February 16th of last year, during one of the conferences which took place in Ancon and at which your Excellency was present, in the capacity of Chilean Representative, it was decided that of the three Provinces into which the Department of Tacna is divided, that of Tarata was excluded from the possession to which the above mentioned clause 3 of the Peace Treaty refers. In my opinion, therefore, the matter is reduced to deciding what are the boundaries of that Province, according to the political divisions of the Department of Tacna, with regard to which there are sufficient data contained in the records of this Ministry.

The Commission proposed by your Excellency, besides running the risk of falling into error owing to the loose wording of clause 3 of the Treaty when dealing with the Sama River, has an additional drawback, namely, that if the opinions of both commissioners are not in agreement, difficulties would arise for the settlement of such disagreement.

Perhaps during the course of a verbal conference, and after

your Excellency shall have examined some documents relating to the Department of Tacna, this matter would be satisfactorily and quickly decided.

Will your Excellency be so good as to take into consideration the above brief suggestions?—ANTONIO ARENAS.

His Excellency, IOVINO NOVA,

*Envoy Extraordinary and Minister Plenipotentiary of Chile.*

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### No. 21

**The Constitutional President of the Republic.** Congress of the Peruvian Republic having duly considered the necessity for regulating, as far as possible, the administrative and judicial procedure in the Department of Tacna, so long as the anomalous conditions now obtaining therein shall continue, has passed the following law:

*Article 1.* The Executive shall appoint a Prefect for the Department of Tacna, and shall appoint as his residence, while the capital is in occupation, by the Republic of Chile, such place as may be deemed appropriate.

*Article 2.* The Executive shall likewise appoint Sub-Prefects and Judges to the Primary Court of Claims (Primera Instancia) for the Provinces of Tacna and Tarata, and shall designate the localities where they are to reside.

*Article 3.* The Provincial Councils of Tacna and Tarata shall sit in the Provisional Capitals where the political and judicial authorities may reside.

To be sent to the Executive so that he may take the necessary steps towards its fulfillment. Given in the Hall of Sessions of Congress in Lima, October 12, 1886.—FRANCISCO GARCÍA CALDERÓN, President of the Senate; ALEJANDRO ARENAS, President of the Chamber of Deputies; *Elias Mujica*, Secretary of the Senate; *Daniel de los Heros*, Secretary of the Chamber. To his Excellency, President of the Republic.

Therefore: I order that the above be printed, made known and distributed and compliance duly accorded thereto. Given in the Government Palace at Lima, October 12, 1886. ANDRÉS A. CACERES; *Manuel Velarde*.

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### No. 22

**Consulate General of Peru to Chile**, Iquique, July 14, 1886; To the Minister of State in the Department of Foreign Affairs—Sir: Article 3 of the Peace Treaty, entered into by General Miguel



Iglesias with Chile, determines that the northern boundary of the Territory of Tacna, ceded temporarily, shall be the River Sama, from its source in the Cordilleras bounding Bolivia to its mouth in the Pacific.

The interpretation which this (Chilean) Government has given to the above mentioned Peace clause, is very far, however, from being accurate; it is too arbitrary, it is most detrimental to and will have far-reaching harmful effects on the present and future interests of Peru.

So as to secure a greater extension of territory than that to which it is entitled under the above mentioned treaty, the Government of Chile has taken, as the *origin* of the River Sama, the River Tarata which is merely one of the affluents of the first-named.

As a consequence of this the districts of Tarata and Tarucachi, which comprise a considerable extent of territory and the population of more than 3,000 native inhabitants, have passed, from this fact alone and without any further process, into the possession of this Republic and are, at the present moment, in occupation by it.

The River Sama rises indeed in the Cordillera bounding Bolivia, called the greater (Grande) and lesser (Pequeño) Barroso, mountains whose elevation above sea level is over 20,000 British feet from the spot where it rises up to its confluence with the River Tarata, the first-named river is known as the Estique and from that point to its mouth on the ocean it is called The Sama because it flows through and waters the valley of that same name.

The same occurs with regard to this river as with the Loa, likewise mentioned in the Peace Treaty with which I am presently dealing.

The River Loa rises on the slopes of the Miño Volcano, to the extreme southeast of the Province of Tarapaca; it flows directly (clavado) from north to south, up to the point called Santa Barbara, and from there, inclining towards the southwest, it passes Chuichui and ends in Calama, where it separates in two arms, forming the rivers San Salvador and Guacate which in turn unite into a single stream at the point known as Chacance. From Chacance the river flows from south to north, passing El Toco, until it reaches Quillagua. From Quillagua, whose plantations cover both banks of the river, it flows east to west until it reaches the ocean.

This river is known by as many names as the places through which it flows. It is called The River Miño, The Santa Barbara,

The Chuichui, the Calama, the San Salvador, the Guacate, the Chacance, the Toco and Quillagua, and from the village of this name as far as the sea—which is only twenty leagues distant—it is called the Loa.

The volume of water of the Estique, its course, the hydrographic system to which it conforms and the fact that it rises in the highest Cordilleras of the Bolivian frontier, of that geographical section of the country, clearly and conclusively prove that this river, and no other, is the source of that which flows through the Sama Valley and thence into the ocean.

The Tarata River arbitrarily chosen by Chile, is a river with a very inferior volume of water; its source is in the heights of that same name, which rise about 15,000 feet above sea level and are situated at the northernmost end of the Province of Tarata.

The tributaries of the Tarata River are the Totorá, Challaguayo and Ticaco Rivers, the first of which is of some importance.

It is well known that our mountain system runs from north to south, and that our rivers on this side of the watershed (divortia aquarum) flow from east to west.

It is therefore extremely arbitrary, not to say absurd, to look for the source of the River Sama among the secondary slopes of the spurs (contrafuertes) of the Cordillera, which, in this instance, are considerably removed from the line which divides Peru from Bolivia.

The Chilean Government, with much secrecy, caused a topographic chart of the Province of Tarata and of the Sama Valley to be made. I have secured, not without considerable difficulty, an extract of the above mentioned chart, which I am enclosing herewith for the knowledge of the Supreme Government. Your Excellency will be able to appreciate from this chart, in concrete fashion, the accuracy of my statements.

The Province of Tarata, as Your Excellency well knows, comprises the following districts and contains the number of inhabitants given below:

Candarave.....	2,378
Curibaya.....	596
Estique.....	672
Tarata.....	2,348
Tarucachi.....	593
Ticaco.....	1,136
	<hr/>
	7,723



According to the interpretation which Chile at present chooses to give to the Peace Treaty, the following districts find themselves included within Chilean jurisdiction:

Tarata.....	2,348
Tarucachi.....	593
Estique.....	672
	<hr/>
	3,613

And under Peruvian jurisdiction:

Candarave.....	2,378
Curibaya.....	596
Ticaco.....	1,136
	<hr/>
	4,110

The strict and only acceptable interpretation of clause 3 of the Treaty, would leave to Chile solely the district of Estique, the population of which is more or less 700 inhabitants.

The geographical importance and strategic value of Tarata, but above all the uncontrovertible right which Peru possesses to that extensive territorial section, illegally detained by Chile, conclusively prove the importance of no longer deferring the solution of this delicate and important matter.—GUILLERMO E. BILLINGHURST.

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### No. 23

**Peruvian Legation in Chile**, No. 147, Santiago, October 14, 1886. To the Minister of State in the Department of Foreign Affairs, Lima. Sir: Among the instructions which I received from your Department, previous to my departure from Lima, Your Excellency was good enough to include a paragraph relating to the districts of Tarata, illegally in Chilean occupation, and promised to send me, under separate cover, detailed and specific data and all information necessary to undertake the speedy solution of so important a matter.

Although these have only in part been sent to me, and although I have as yet not received the chart whose remittance is of such moment to me, following the verbal instructions Your Excellency gave me, and in view of what Your Excellency has confidentially written to me, and likewise in view of what His Excellency, Sr. Balmaceda, stated to me during the course of the conference which I am communicating to Your Excellency in my confidential dis-

patch, I have thought it advisable to send to the Minister of Foreign Affairs of Chile the communication, copy of which is enclosed, whose contents I trust will meet with Your Excellency's approval.

I would request Your Excellency to send me, as soon as possible, the promised chart, which I consider indispensable so as to clearly prove the source and course of the River Sama and determine the unquestionable right of Peru according to the stipulations of the Peace Treaty, to retain possession of the districts of the Province of Tarata which are not included within the territories of Tacna and Arica temporarily ceded to Chile.—CARLOS M. ELIAS.

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No. 24

**Dispatch from the Minister of Peru in Chile to the Minister of Foreign Affairs of Chile, Dated October 13, 1886, Insisting upon the Return of Tarata.**

This exhibit appears on page 219 of the Appendix to the Case of Peru.

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No. 25

*Confidential: Legation of Peru in Chile, No. 167.* Santiago, November 10, 1886. To the Minister of State in the Department of Foreign Affairs, Lima. Sir: I have had the honor to acknowledge the receipt of confidential dispatch No. 7, with which are enclosed copies of the chart of the Territory of Tacna, which proves the source and course of the River Sama and shows as well that portion of the Province of Tarata which is illegally in Chilean occupation.

I have likewise noted all that Your Excellency mentions with reference to the justice of Peru's claim for the immediate return by this Government of that Territory, and have been much gratified to learn that Your Excellency has approved the manner in which I have presented the case to the Chilean Chancery.

Today, taking advantage of the conference I had with Sr. Godoy, I have pressed upon him how important it was to settle this matter, which is simplicity itself, and whose solution would facilitate the settlement and establishment of the new authorities which have been appointed by the Government of Peru to that portion of the Department of Tacna which was not included in the temporary cession made to Chile.



Sr. Godoy replied that, as he had previously told me, he was extremely busy these days owing to the discussion of the Budget by the Legislative Committee which is actively engaged in preparing this matter before Congress convenes, and that this was the only reason why he could not appoint some early date when we might discuss the matter. Notwithstanding this, we did have something to say about the source of the River Sama, and the mistake which had been made in confusing this river with the Tarata, Sr. Godoy mentioning the difficulty with which we were confronted respecting a decision in the selection of the map to which we should give faith. I replied that I had a copy of a map, drawn up by a Chilean engineer, and that we could adopt that one, since I knew that it had been compiled with much precision and clearly shows that the River Estique, which rises in the Barroso Cordillera, bounded by Bolivia, is the same river which becomes the Sama after it has received the waters of the Tarata, and that this latter, whose source is in the heights of that same name, which recede from the Bolivian frontier, could never be really taken as the source of the former. I then gave him an account of the incident to which the memorandum sent me by Your Excellency refers, which contains a narrative of what took place between the Peruvian and Chilean Plenipotentiaries, while discussing and when signing the Treaty of October 20th, 1883, at Ancon, and I believe that both the first and second made some impression on Sr. Godoy, for inclosing the interview he repeated that we would take up this matter very soon. As for me, I believe, as Your Excellency does, that since the issue is so clear, it could be settled in a moment, always provided that a spirit of justice and conciliatory intentions should be apparent on the part of the Government of Chile, and even though I hope that, in the end, our right will prevail with irresistible force, I greatly fear that the solution of this matter will be subordinated to the considerations of a different order, owing to which it will be somewhat protracted.—CARLOS M. ELIAS.

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No. 26

**Legation of Peru in Chile**, No. 253, Santiago, 19th of March, 1887. To the Minister of State in the Department of Foreign Affairs, Lima. Sir: I have the honor to enclose herewith certified copies of the dispatch and Memorandum sent to the Minister of Foreign Affairs of this Republic, requesting the early solution of a

matter of great importance to Peru, that is, the return of the districts of the Province of Tarata, illegally occupied by Chile.—CARLOS M. ELIAS.

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### No. 27

**Legation of Peru in Chile.** Santiago, April 19, 1887. To his Excellency the Minister of Foreign Affairs of the Republic of Chile. Sir: I have had the honor to receive Your Excellency's courteous dispatch of the 14th instant in which Your Excellency states that your Government considers that the question relative to Tarata and to the boundaries set to the territory which has temporarily remained in Chilean possession, is merely of a geographical nature; that the interpretation of the Peace Treaty is not affected thereby, and that the appointment of a Peruvian-Chilean Technical Commission would be suitable for the purpose of ascertaining and determining the origin and course of the River.

Refraining for the present from entering upon a discussion of the arguments which Your Excellency puts forward in support of the advisability of settling the question of Tarata in the manner suggested by Your Excellency, I only desire to state that I am forwarding to Lima by today's mail a copy of Your Excellency's dispatch above mentioned and that as soon as I shall have received my Government's reply, I shall hasten to communicate its contents to Your Excellency.

I renew to Your Excellency the assurances of my particular esteem and remain your obedient servant.—CARLOS M. ELIAS.

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### No. 28

**Legation of Peru in Chile,** Santiago, March 5, 1887. To His Excellency, Minister of Foreign Affairs of the Republic of Chile. Sir: As I promised Your Excellency on the last occasion when I had the pleasure of seeing you, I am enclosing herewith a Memorandum relative to the question of Tarata, which will confirm what I stated to Your Excellency's predecessor in my note of October 13th of last year, reply to which I have not yet received, doubtless owing to that Department's pressure of business.

It appears to me, according to the contents of this memorandum, which summarizes the data furnished to this Legation by responsible parties, that the justice of Peru's claim for the return of part of her territory which was not included in the temporary cession of that which contains the Provinces of Tacna and Arica, is conclusively proved.



Your Excellency's Government, which has declared that it is ever ready to carry out in every particular the Treaty which terminated the war, cannot in this instance but recognize the true nature of the facts, and I confidently trust that, inspired by the loftiest sentiments, it will not hesitate to order the return to Peru of the districts of the Province of Tarata which still remain up to the present time unduly subject to Chilean jurisdiction.

This is all the more necessary since that good relations between both countries having been resumed, it is the duty of their Governments to see that, now and in the future, the best interests of both peoples, the reciprocal respect and mutual esteem, should efface all traces of useless disagreements and build up, on solid foundations, a friendship which may be productive of much good for both Peru and Chile.

In the expectation that, as Your Excellency has so promised, you will give this matter your special consideration to enable us to secure its early and satisfactory settlement, I would repeat that, should it be necessary, I shall be happy to call upon Your Excellency whenever I am so advised, to prove still further, if this should be necessary, and assisted by a special chart, the accuracy of the findings of the enclosed Memorandum with regard to the origin of the River Sama.

I reiterate to Your Excellency upon this occasion the assurances of my high consideration and remain your obedient servant.—  
CARLOS M. ELÍAS.

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#### No. 29

##### **Legation of Peru in Chile, *Memorandum.***

Paragraph 1 of Article 3 of the Peace Treaty between Peru and Chile, signed on October 20, 1883, states as follows: "The territory containing the Provinces of Tacna and Arica, bounded on the north by the River Sama from its source in the Cordilleras conterminous with Bolivia to its mouth on the sea; on the south by the Gap of Camarones; on the east by the Republic of Bolivia and on the west by the Pacific Ocean, shall continue in the possession of Chile, subject to Chilean legislation and authorities for the period of ten years, to be counted from the date of the ratification of the present Peace Treaty." Notwithstanding such precise stipulations, Chile has committed the serious error of including a portion of territory from the Province of Tarata, which was never mentioned in the temporary cession granted by the Treaty which ended the war, by considering the boundary line



to lie at the River Tarata which has been taken to be the source-river of the Sama. Due to this fact several districts from the Province of Tafata together with a population of about 4,000 inhabitants, have been withdrawn from under Peruvian jurisdiction. The River Sama, as paragraph 1 of Article 3 of the Peace Treaty clearly defines, has its source in the Cordilleras mountains conterminous with Bolivia. These mountains are known by the names of Grande (Greater) and Pequeño (Lesser), Barroso, and rise above sea level to a height of more than 20,000 feet. From this point up to that of its confluences with the River Tarata, it is known by the name of Estique, and further on, down to its mouth on the Ocean, it is called the Sama because it flows through and waters the valley of this name. The volume of water of the River Estique, its course, the hydrographic system to which it conforms and the fact that it rises in the highest Cordilleras of the Bolivian frontier, clearly prove that this River, and no other, is the origin of that which waters the Sama Valley and which disembogues on the Pacific Ocean. The Tarata River has a much smaller volume of water than the Estique, it has its source in the heights of the same name (Tarata) which rise about 15,000 feet above sea level and are situated at the northernmost end of the Province of Tarata. It is a well known fact that the system of our mountain (Cordilleras) ranges runs from north to south, and that our rivers, on this side of the *divortia aquarum*, flow from east to west. It is therefore absolutely erroneous to look for the source of the River Sama on the secondary watershed of the foothills of the Cordilleras, which, in this instance, are a considerable distance from the boundary line which divides Peru from Bolivia. The Peruvian Negotiators, when insisting upon the draft of Article 3 of the Peace Treaty, clearly expressed that the territory of the Provinces of Tacna and Arica was left temporarily only in Chilean possession and in addition they completely excluded the Province of Tarata; while even the former territory was reduced to the limits which, for further proofs and greater precision, were specifically mentioned; and when stating that the northern boundary was the River Sama "from its source in the Cordilleras Mountains conterminous with Bolivia up to its mouth on the sea," they made it abundantly clear that it was in these mountains and in no other locality that the source of the River Sama was to be found. Any contrary interpretation would imply therefore, the cession of a greater extent of territory and would have nullified both the spirit and letter of the Article above



mentioned. The Peruvian Negotiators, while considering the grievous situation with which they were confronted when negotiating for peace, which they believed to be imperative even at the cost of great sacrifices, endeavored to save as much as possible of the territory of the Nation, which explains why they insisted on a draft which completely excluded the territory of the Province of Tarata and part of that of Tacna. The incidents which took place before the signature of the Peace Treaty amply bear out this statement. It seems that the Minister of Foreign Affairs of Chile, at the time in Lima, insisted that the River Locumba and not the River Sama should be the boundary set for the temporary cession. Messrs. Lavalle and Castro Zaldivar first and then General Iglesias, declined to accept this eleventh hour demand, which was contrary to what had already been agreed to between Messrs. Iglesias and Novoa. The latter diplomatist recognized the justice of the Peruvian Negotiators' contention, but as Sr. Aldunate insisted, it was found necessary to telegraph to the President of Chile who replied, more or less in these terms: "That as his desire was to obtain peace, the boundary line proposed by the Peruvian Negotiators should be the one accepted." This was in fact done, and paragraph of Article 3 of the Peace Treaty was eventually drafted according to the wording so frequently quoted. Santiago, March 8, 1887.—CARLOS M. ELÍAS.

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### No. 30

**Republic of Chile—Ministry of Foreign Affairs,** Santiago, April 14, 1887. His Excellency Carlos M. Elías, Envoy Extraordinary and Minister Plenipotentiary of Peru. Sir: I have had the honor to duly receive Your Excellency's dispatch of the 5th of last month, together with which you have been pleased to enclose a Memorandum expressive of the considerations upon which the Government of Peru bases its claim for the correction of the northern boundary of the Territories of Tacna and Arica in Chilean possession.

The perusal of the document and the examination of the chart which you have sent me increasingly convince my Government that the matter involves a new geographical point, the solution of which requires expert knowledge of the topography of those territories in which both my Government and the Technical Departments of Chile are lacking at the present moment.

This being the case, and interpretation of the Peace Treaty not being at present affected thereby, the letter of which is very clear, and whose stipulations my Government has ever desired to faithfully carry out, I hope Your Excellency will allow me to insist on the suitability of the method which, on another occasion was suggested by us to the Government of Your Excellency, to the effect that the appointment of a Peruvian-Chilean Technical Commission, which, proceeding to the districts in question and in agreement with scientific principles, should investigate and determine the origin and course of the River Sama for the purposes mentioned in the Treaty of 1883.

If as I confidently hope, this method of settling the question meets with the approval of Your Excellency, it will doubtless be very easy for us to come to some agreement with reference to the personnel of the expert commission and the other details relative to my suggestion.

I renew to Your Excellency the assurances of my distinguished consideration, and remain your obedient servant, FRANCISCO FREIRE.

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### No. 31

**Legation of Peru in Chile**, No. 273, Santiago, April 18th, 1887. To the Minister of State in the Department of Foreign Affairs, Lima. Sir: On the 16th instant I received the reply to my letter addressed to the Minister of Foreign Affairs of this Republic, dated the 5th ulto in which I requested the evacuation of the districts of Tarata of which Chile is in occupation contrary to the stipulations of the Peace Treaty.

As Your Excellency will notice from the copy of the dispatch which I enclose, its contents do not harmonize with what Sr. Freire verbally expressed to me on the subject, during a conference I had with him on the second instant, and of which I advised your Excellency in my confidential dispatch No. 263, which proves that, subsequent to this conference and doubtless owing to advice from the President, it is now intended to give a different trend to the matter.

I have not been able to reply to Sr. Freire, as I would have wished, in respect to the proposal to appoint a Mixed Technical Commission, because he refers to a proposal previously made to the Peruvian Government in this same sense and which, according to the Message of the Supreme Council of Ministers to the Extra-



ordinary Sessions of Congress of 1886, "was made the subject of some objections" on the part of our Chancery, objections with which I am unfortunately not familiar, because, though I have requested all the data relative to the question of Tarata, I have only received a portion thereof.

As I feared therefore, to make some contradictory statement, and on the other hand as I did not wish to assume the responsibility in so delicate a matter of finally rejecting the proposition of this Government, I have merely sent in the reply copy of which I am enclosing.

In view of these documents, I would request Your Excellency, that, upon deciding with the President the course which is considered best, you will be so good as to send me definite instructions to which I shall adhere.—CARLOS M. ELÍAS.

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### No. 32

**Legation of Peru, Santiago, May 8th, 1890.** To His Excellency Sr. Juan E. Mackenna, Minister of Foreign Affairs. Sir: The newspapers of this city have recently published the terms of a Bill containing a projected Law on Municipalities which has received the support of the majority of the Mixed Commission which the National Congress appointed for the purpose before the closure of its sessions in February.

In this project, the Provinces of Tacna and Arica and even that of Tarata are considered as an absolute part of Chilean territory, and they appear sub-divided in the same manner as those provinces where Chile exercises complete sovereignty and permanent domain.

In my opinion such a measure involves an incorrect interpretation of Article 3 of the Peace Treaty of October 20, 1883, which indeed stipulates that the territory of the Provinces of Tacna and Arica shall continue in the possession of Chile, subject to Chilean laws and authorities, for the period of ten years; or, which is the same thing, establishes a transitory occupation of that territory which does not admit that laws of a general and permanent character which may be passed for the better and more orderly progress of the Republic, should apply therein.

The Government of your Excellency doubtless also, saw the matter in this light, which would explain why the Territory of Tacna and Arica has been administered, since 1883, in a different fashion from that which obtains in the remainder of the country. While the latter is at present governed under the provisions of a

general municipal law, those provinces are subject, in this particular, to the ordinances of the special law of October 31, 1884. This fact likewise explains why it was not considered necessary to give these Provinces any representation in the Congress of the Nation.

Nor could it very well be otherwise since the Treaty of 1883 did not incorporate the territory of Tacna and Arica with Chile, which would be the only reason that could allow the exercise therein of those attributes which are derived from the effect of sovereignty, but left it instead subject to Chilean laws and authorities in all that happened to be compatible with a temporary occupation.

It is, however, more extraordinary still that the majority of the Commission of Congress should have extended the effects of the Municipal Law Bill to include the Province of Tarata.

Your Excellency is aware that since 1884 my Government has declared to yours that the Province of Tarata is not included in the temporary cession of Tacna and Arica, since it is situated north of the Sama River which is the established boundary for that occupation.

Owing to the negotiations initiated and continued by this Legation, the Santiago Chancery proposed to that of Lima the appointment of a scientific Peruvian-Chilean Commission which would study the course of the River Sama up to its source in the Cordilleras of Bolivia, and issuing report which would enable a better understanding of the matter.

My Government, which has no doubts whatever on the subject, and which is convinced of the right and justice which support its claim, has not yet replied to the Chilean Government's proposal; but this does not mean, in any way, that it foregoes these claims.

A diplomatic negotiation is therefore still in progress and the Territory of Tarata which has been unduly considered as part of that of Tacna, is at present, on this account, in a peculiarly exceptional position.

Owing to these antecedents and complying with special instructions from my Government, which have been communicated by cable, I have the honor to call the enlightened attention of Your Excellency to the present remarks, requesting that you be so good as to take due note thereof so as to be in a position to act upon them at the time when the proposition upon which I have been engaged shall be submitted to the consideration of the Legislative Powers.



I take advantage of this opportunity to reiterate to Your Excellency the assurances of my high consideration and remain your obedient servant.—CARLOS M. ELIAS.

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No. 33

**Legation of Peru in Chile**, Santiago, October 1st, 1890. To his Excellency the Sr. José Tocornal, Minister of Foreign Affairs of the Republic of Chile. Sir: With reference to the dispatch from your Department of June 26th last, to that of this Legation of July 12th, and to what I had the honor to verbally state to Your Excellency, I have now to transmit the Opinion of my Government respecting the proposal which was made to it by your Chancery, in regard to the appointment of a Technical Commission to investigate and determine the origin and course of the River Sama.

As I have already had the occasion to leave on record somewhat extensively in the Memorandum which, with my communication of March 5, 1887, this Legation forwarded to the Department of Your Excellency, my Government has no doubt whatever, on the matter in question; the Reports upon which its claim is based are very explicit and sufficient to enable it to declare that the Estique and not the Tarata is the source-river of the Sama; that the former rises in the Cordilleras conterminous with Bolivia, as the Peace Treaty specifies, while the latter only rises in the heights of that same name; and finally, that the aforesaid Treaty of Ancon, refers in clear and conclusive terms to the territories of the Provinces of Tacna and Arica and never even mentions that of Tarata.

In view of such evidence it is impossible for my Government to join with that of Chile for the purpose of ascertaining and determining a point upon which it has not the slightest doubt, so that it behoves Your Excellency's Government to make such investigation as it considers necessary so as to clear up the doubts which it has expressed on this subject and which have, so far, prevented this matter from being adequately settled.

My Government is pleased to rely upon the sincerity of attitude of that Chancery and is convinced that as soon as the Government of Chile shall have been assured of the justness of Peru's claim for the return of part of the Territory of Tarata, at the present moment in occupation by the authorities of this country (Chile), it will not hesitate to furnish ample satisfaction to the lawful and patriotic expectations of Peru.

Such a course, which would testify to the lofty views of your Excellency's Government and to its anxiety to maintain the cordial relations which happily subsist between both Countries, and being in agreement therein with the generous intentions which inspire the foreign policy of the Government of Peru, will be another reason for drawing these relations still closer, setting aside in a friendly spirit anything which might, even slightly, tend to disturb them.

I am therefore complying in this dispatch with your Excellency's wishes; and in obedience to instructions from my Government, I am conveying, clearly and definitely expressed, the sense in which it interprets its position as well as the reasons which prevent it from joining in the appointment of a Technical Commission as proposed by the Government of Chile.

I take advantage of this new opportunity to tender to Your Excellency the assurances of my high consideration.—CARLOS M. ELIAS.

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#### No. 34

**Republic of Chile, Minister of Foreign Affairs, No. 2228, Santiago, October 23, 1890.** To His Excellency Carlos M. Elias, Envoy Extraordinary and Minister Plenipotentiary of Peru and Chile. Sir: This Department has duly received your Excellency's dispatch of the first instant, in which Your Excellency illustrates by means of several conclusions, the justice of Peru's position in not agreeing to concur in the appointment of a Technical Commission to investigate and determine the course of the River Sama and to settle what portion of the Peruvian Province of Tarata is being withheld by the Chilean authorities.

My Government accepts the suggestion contained in Your Excellency's note relative to the appropriateness that Chile should, herself, secure the necessary data; and in accordance with this suggestion we shall in due course, appoint some person to proceed to the region in question, examine the boundaries and report upon the exact amount of territory which shall legally be considered as being in temporary possession by Chile.

I renew to Your Excellency the assurances of my high consideration.—DOMINGO GODOY.



No. 35

**Legation of Peru in Chile**, No. 395, Santiago, December 12, 1890. To the Minister of State in the Department of Foreign Affairs of Peru in Lima. Sir: I informed Sr. Godoy of Your Excellency's wishes which are contained in your dispatch No. 289 of the 25th ulto, and I insisted in the advisability of the immediate appointment of the expert who is to carry out the studies relative to the origin and course of the River Sama.

Sr. Godoy informed me that he abided by the declarations of the Department (of Foreign Affairs of Chile) and that as soon as possible a Commissioner would be sent; but that we should take the present political situation here into account as well as the Government's stress of business in consequence thereof; that in addition, owing to the arrival of the Argentine Commission for the boundary question between both Countries, it had been necessary to engage the services of the most competent persons, which required a selection to be made to ascertain whom it would be advisable to appoint for the study in question so as to secure a well executed piece of work.—CARLOS M. ELIAS.

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No. 36

**Session of the Chilean Advisory Committee on Tacna and Arica**, October 22, 1908.

This exhibit appears among the secret documents published by *El Comercio* of Lima, page 652 of the Appendix to the Case of Peru.

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No. 37

**Dispatch from the Minister of Foreign Affairs of Peru to the Minister of Foreign Affairs of Chile**, September 30, 1909, **Complaining with Regard to the Abuses Committed by Chilean Authorities in Tacna and Arica.**

This exhibit appears on page 689 of the Appendix to the Case of Peru.

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No. 38

**Reply Sent to the Above Dispatch by the Minister of Foreign Affairs of Chile to the Minister of Foreign Affairs of Peru**, Dated November 5, 1909.

This exhibit appears in the "Appendix to the Case of the Republic of *Chile*," page 426.

No. 39

Counter-reply from the Minister of Foreign Affairs of Peru to the  
Minister of Foreign Affairs of Chile, Dated December 23, 1909.

This exhibit appears on page 693 of the *Peruvian Appendix*, with the exception of a few paragraphs which are, however, given on pages 434 and 435 of the *Chilean Appendix*.

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No. 40

Law No. 2575.

The National Congress has approved the following law:

*Article 1.* The Department of Tarata is hereby created, comprising the territory of the 8th and 9th Sub-Delegations of the Department of Tacna, according to the decree of November 9 1885.

*Article 2.* The newly created Department, whose capital shall be the city of Tarata, shall be given the same administrative and judicial personnel of officers as the Department of Arica now possesses, with the salaries and bonuses respectively assigned to these.

*Article 3.* This law will be enforced 30 days after its promulgation in the Official Gazette (Diario Oficial).

Wherefore: And the opinion of the Council of State having been heard, Congress has seen fit to approve and sanction it: Therefore: Let the same be promulgated and carried into effect as a Law of the Republic.

Santiago, November 29, 1911.—RAMÓN BARROS LUCO, *J. Ramón Gutiérrez*.

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No. 41

Law No. 3802.

The National Congress has given its approval to the following law:

*Article 1.* The Department of Tarata, created by the law No. 2575 of November 29, 1911, is hereby abolished.

Public officials and police employees who are serving in that Department and who would lose their positions owing to the abolishment to which the preceding paragraph refers, when not securing other Government positions, shall be entitled to free passage for themselves and their families and, in addition, to a bonus equivalent to three months' salary of the position they were filling at the date of the promulgation of this law.



*Article 2.* The Department of Tacna of the Province of this same name shall be given the following boundaries:

To the north, the frontier with Peru up to the intersection at the north with the astronomical meridian of the Ucure Hill, an international boundary which, on its western side is constituted by the River Sama.

To the east, the astronomical meridian of Ucure Hill, from the point of its intersection with the frontier of Peru, to the north of the above-mentioned Hill up to the summit thereof; the Guaraguarane Ridge, the cordon which is bounded on the north by the hydrographic bed of the Uchusuma River up to the Barroso cordillera, the Guancure Hills, the line of peaks which the hydrographic bed of the River Caplina and its tributaries bounds on the east, passing by the Gorge of Quiñuta; the Paralocos Hills and Chupiquiña, and the Huailillas Ridge as far as the Portezuelo de Huailis.

To the south, the Cauñani Gap from its incipience in the Portezuelo de Huailas up to its gate on the sea; and

To the east, the Pacific Ocean from the gate of the Cauñani up to the mouth of the River Sama.

*Article 3.* The Department of Arica shall have the following boundaries:

To the north the Cauñani Gap from its gate on the sea up to its incipience in the Portezuelo de Huailas; the line along the peaks forming the watershed which, from the Portezuelo de Huailas passes by the Huailillas Ridge, the Chupiquiña and Paralocos Hills, the Quiñuta Gorge, the Guancure Hill and Toquela, the Barroso Cordillera, the cordon which bounds the hydrographic bed of the River Uchusuma to the north, the Guaraguarane Ridge up to the Ucure Hill, a straight line from the astronomical north to south up to the frontier line of Peru and the Peruvian border.

To the east the frontier of Bolivia.

To the south the River Camarones from its disembogement on the Pacific Ocean to the Ajatama up to the point where it meets the Blanco River, from there a straight line to the former boundary of Jancuma or Peñas Blancas, from there another straight line to the Springs of Lirpo, another to the Pucupucune Farm, another to the summit of the Pelado Hill of Llaretapampa, and from there a line of summits which passes through the summits of Chulluncayani, Viscachitambo, Portezuelo de Chaca, the Herraaje Hill, the Castilluma Hill, the Acachumayo Hill, the Arintica Hill and the Puquintica Hill; and

To the west the Pacific Ocean.

Wherefore: and the opinion of the Council of State having been given, Congress has seen fit to approve and sanction it. Therefore: let the same be promulgated and carried into effect as a law of the Republic.

Santiago, September 13, 1921.—ARTURO ALESSANDRI, *Ernesto Barros J.*

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No. 42

**Republic of Chile, Intendency of the Province of Tacna.** Tacna, July 3, 1908.

Señor Federico Puga Borne.

My dear Mr. Minister and friend:

I think you must feel very gratified respecting the reply sent by the Peruvian Government to your communication of March 25th, which is an additional proof of how impossible it is to destroy or weaken the firm stand which our Government has at last adopted in this matter of Tacna and Arica, with regard to which so many mistakes have been committed in the past.

You have given it a definite objective, and no one will ever be able to take away from you the merit of thus having secured the solution of the problem in the sense of the permanent interests of Chile.

The conquest of this territory by our arms had to be consolidated through the action of our diplomacy, and this is what you have done, skilfully eliminating the possible danger of the securing by Peru of the support of some powerful meddler favorable to her cause. The moderation of your proposal and the dexterous manner in which you have made it, removes every excuse for interference, and in my opinion therein lies your principal achievement. It is unnecessary to add that I congratulate you very sincerely.

But to have successfully presented the question diplomatically is only half the battle, and that is why I tremble every time news reaches us that, for reasons of health or due to some political maneuver, you may resign from the Ministry and leave the matter unfinished.

There is still much to be done, especially in a practical direction, and while it is certain that any other Minister could not alter the trend you have so definitely fixed—because the country would not consent thereto—such other Minister would have to begin anew the study of matter with which you are especially



familiar, he would lose himself in the maze of details, and what is still worse, so as to put through certain measures, he might lack the prestige which you have achieved owing to the undeniable success of your efforts.

On this point I must confess in all sincerity that when I think upon all that there is still to be done here so as to assure the favorable result in the plebiscite, and on the very little that has been achieved, I am almost discouraged.

It is so easy to secure and accumulate voting power, but nevertheless time goes by, opportunities are lost and nothing is done which has been suggested in this respect.

With regard to this, I would ask you to read very carefully the copy of a most interesting letter which Anselmo Blanlot Holley has sent to me. It deals with the matter of Tarata. You know how greatly concerned I am respecting this Sub-Delegation, *which is the stronghold of the Peruvian Electorate*, where we could also acquire a corresponding power by which, nevertheless, we are content to leave uncared for. Blanlot often goes there because it is the home of some of his relatives; he has studied conditions with an interest and knows the place well. All his recommendations deserve attention, and if we must do something in the province, since everything cannot be done all at once, why should we not begin there?

The Peruvians are still insubordinate, and in this they undoubtedly obey instructions sent from Lima. They declare that they have sufficient means and also influence to have the present officials of the province removed, and one of these means appears to be that of irritating them daily.

The recent accusation made against Arteaga by the Vicar of Arica, dealing with the theft of an oil painting, belongs to this category; but the priestling has overshot the mark because Arteaga is going to bring suit against him for libel.

\* \* \* \* \*

The other day the Peruvians tried to stage a great demonstration. So as to make the reception to Seoane, when passing through Arica, as fervent as possible, they took with them a great number of workmen from the cigarette factory (whose principal source of income is smuggling) in a special train to Arica, while they kept impudently cheering "Hurrah for Peru; Hurrah for Tacna and Arica"; in the provoking manner which they always use in voicing these sentiments.

\* \* \* \* \*

I am merely telling you all this so that you may guard against feeling any undue compassion should the Chargé d’Affaires of the Peruvian Legation against tearfully complain to you that his fellow-citizens are not allowed to hoist their flag and demonstrate on the 28th of July. Considering the excited condition of public feeling, any concession of this nature would be dangerous, quite apart from the fact that they would find out—as they undoubtedly will, for everything is communicated to them from Lima—that the concession was due to our Government, which would seriously affect my prestige both among Peruvians and Chileans.

The dismissal of Arellano from the inspectorship of Tala, which you requested of me through the Ministry of the Interior, has greatly surprised me. This man is an excellent fellow, very well thought of in the community and has rendered me very good service. If it is a punishment which is being inflicted upon him in connection with the incident of the invasion, it is undeserved because proof is to hand that he strenuously opposed it; if he finally accompanied the officer Donoso, it was because the latter, as his superior officer, ordered him to do so (Arellano belongs to this police force), adding that he was acting according to superior instructions. The punishment given to Donoso is deserved, but that of this poor fellow is not.

I am also enclosing copy of a verdict recently given by the Tribunal of Arica against the Vicar of Codpa. It is very edifying.

I am your very affectionate friend and obedient servant.—  
M. R. LIRA.

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### No. 43

#### Report of the Governor of Arica, March 15, 1900

To the Intendente of the Province.

Mr. David MacIver solicits from the Supreme Government that “The designation on the spot of the northern boundary of the 5th Sub-Delegation of the Department of Pisagua, be ordered effected by it, *from the beginning of the Umayani Gap* to the Bolivian frontier in the direction of the axis of that Gap, and in harmony with the maps by the Peruvian Geographers Paz-Soldan and Barrera.”

The purpose of the Petitioner in making this appeal is, so he states, to “immediately bring to an end” the disputes upon jurisdiction which have arisen upon the discovery of borate deposits and sulphur.



From the first, two points are apparent, which it will be necessary to study and to treat separately and to which this report will be confined.

## CHAPTER I

### *Are the Boundaries Settled or Not?*

The boundary between the Departments of Arica and Pisagua, or rather, between the Provinces of Tacna and Tarapacá, is already settled in a clear and conclusive manner contained in the definite stipulations of Articles 2 and 3 of the Treaty of Ancon which, being an international compact, having force of law, compelled both interested nations to define this boundary line in such an explicit manner as to leave no room for the slightest doubt.

The laws by which the Provinces of Tacna and Tarapacá were created, as well as all official acts of the Government of Chile relative to the boundary in question, have been in perfect agreement with the Treaty of Ancon which is the fundamental law on the matter, while it is recognized in all these documents that the boundary between both provinces mentioned above, is the "Gap and River of Camarones."

If the laws which created the provinces aforesaid are founded, as cannot be open to question, upon the stipulations of the Treaty of Ancon, and if this instrument indicated, as the boundary between both provinces, that which is recognized by Peru from the time of its independence and confirmed by the Law of December 1, 1868, which created the Seaboard Province of Tarapacá, taking it from the Department of Moquegua, it is logical to conclude that the boundary line being marked upon the spot, the application for the completion of such demarcation is evidently unnecessary.

The applicant states: "The line which divided the Province of Tarapacá from the Province of Arica at the time of the Treaty of Ancon and which had divided them since the former province had been in existence, *lay through the Camarones Gap*, continuing in the direction of the axis thereof, more or less to the east-north-east up to the frontier of Bolivia as appears on the maps of the Peruvian Geographers Paz-Soldan and Barrera."

It is only necessary to glance at the general map of Peru or at that of the Department of Moquegua in the Paz-Soldan Atlas, to be convinced that the Camarones River rises on the western slope of the Paquiza Cordillera, which originates the *divortium aquarum*, and flows down to its mouth on the Pacific Ocean, receiving small tributaries during its course which, however, are

not indicated in the above-mentioned work. The boundary line which divides the Provinces of Tarapacá and Tacna is very plain on these maps and runs within the Camarones Gap, through the middle of the River of that same name and for the whole length of the boundary from east to west, that is to say from the source of the Camarones in the Cordillera conterminous with Bolivia, down to its mouth on the ocean.

The Paquiza or Negrillos Cordillera, recognized as the boundary between Bolivia and the Territories of Arica and Pisagua, according to Paz-Soldan (Atlas, page 38), produces the *divortio aquarum*, and from its peaks flow the waters which give birth to the rivers of those regions; those which flow towards the east in Bolivia form the bodies of water known by the name of *Coipasa* and *Salinas* Lakes; towards the west, the River Camarones flows, which, rising in the Huaihuasi Hill of the Mullure group (Paquiza Cordillera) at its intersection with the boundary Cordilleras, runs from east to west along the whole distance of the boundary, inclining slightly to the south.

The maps of the Paz-Soldan Atlas, which are the only official maps of Peru and which were ordered published by the Administration of General Castilla, the Liberator, about 40 years ago, never considered the Umayani Gap to be that of Camarones because this waterless Llanta or Umayani Gap does not even appear on the maps owing to its absolute unimportance and its complete absence of water.

So as to prove that the waterless Gap of Llanta or "Umayani" is not nor ever could be the origin of the Camarones River, it would only be necessary to refer to its name and to the tradition which obtains that water has never been known to flow through it, so that it would be somewhat difficult to consider it as the source of a river which flows in all its fulness and at its height in front of the dry-mouth of Umayani: even the Indian name of "*Umayani*" when translated into Spanish means "Without water."

The Petitioner is in error when he states that "The Umayani Gap is a formation of Umilpa": the hill of this name produces the source-waters of the River Codpa, which flows completely within the territory of Arica and disembogues by the inlet of *Vítor*, very much to the north of the Camarones River.

Neither during the period when it was under Peruvian jurisdiction nor subsequently, has the Umayani Gap been considered, nor could it be so considered, as the source of the River Camarones, because the settlements of Pachica, Guancarane and Esquiña



which are situated very much to the *east* of Umayani, have been declared, even in the Supreme Decrees upon which Petitioner relies, to be situated within the northern edge of the Camarones Gap.

“It would occur to no one who has made a detailed and thorough examination of the topography of this region to look for the source of the River Camarones in the ‘Waterless Gap of Llanta or Umayani,’ nor in the very small gulches of Saguaca or Panpanone, because they all lead into the middle of the ‘Gap and River of Camarones,’ a designation which never varies from the Pacific up to further east than Esquiña, where the waters of the River ‘*Ajatama*’ converge with those of the ‘*Caritaya*’ at the place called ‘*Arepunta*’; the former rises to the south of ‘*Chuquiananta*’ and the latter in the ‘Huaihuasi Hill,’ the intersecting point of the territories of Arica, Pisagua and Bolivia.”

Since it is proved that the river which flows from *Arepunta* down to the sea is the Camarones, we have now to determine, as from Arepunta towards Bolivia, where the Camarones divides into the two Rivers, *Ajatama* and *Caritaya*, which of these two is that which fulfills the requirements of a real boundary according to the Treaties.

The *Ajatama* rises near the *Chuquiananta Hill*, which does not lie on the dividing line with Bolivia but a considerable distance from it, while the *Caritaya* rises in the Huaihuasi Hill situated in the very range of the cordillera conterminous with Bolivia, so that an appeal to imaginary lines is entirely unnecessary, which would be the case were the *Ajatama* the one to be taken; this would imply a proper carrying out of the treaties of the laws which created the Provinces of Tarapacá and Tacna, which consistently indicate the River and Gap of Camarones from its source on the boundary of Bolivia down to its mouth on the Pacific.

The Camarones Gap has been correctly studied and surveyed for the whole of its length.

It is a gorge more or less three kilometers wide on an average, which occurs in the Huaihuasi Hill at the intersection of the Mullure cordon with the lofty Paquiza or *Negrillos Cordillera*, on the borders of Bolivia at latitude  $19^{\circ} 2'$ ; it extends for a distance of about 150 kilometers down to the mouth on the Pacific of the river of its same name, at  $19^{\circ} 12' 30''$  latitude and  $72^{\circ} 47' 10''$  longitude, according to Paz Soldan. Within this gap, cultivated for the most part, there are several settlements, those to the north of the river bed having always belonged to Arica, while

those to the south thereof belonging to Pisagua, up to the time of the Supreme Decrees of November 3, 1885 and August 28, 1888, which introduced the novelty of submitting the settlements of *Guancarane*, *Pachica*, and *Esquiña* to the authorities of Pisagua owing to their position to the south of the northern edge of the *Camarones Gap*.

The borax-bearing lagoon or marsh of Chilcaya, also called Achachamaya, is situated *more than half a degree to the north* "of the northern edge of the *Camarones Gap*" and is divided from it by two chains of mountains containing extremely high peaks; that of "*Luzmiri*" and that of "*Capitan*." These two chains, which occur to the south of the Chilcaya Lagoon, have as their base, to the east, the important cordillera of Paquiza, which in turn divides it from Bolivian territory, while they converge to the southwest of this lagoon forming an angle whose apex is the snowclad Suriri or Chuquiamanta. The region therefore, contains a scalene triangle of lofty mountains and snowclad peaks which interpose between the Chilcaya Lagoon and the *Camarones Gap*.

The borax deposits of Chilcaya have not been only recently discovered as Petitioner states; they were discovered at the beginning of 1894 by Messrs. Pescetto & Sons of Arica and were at once denounced to and ratified by the Court of Arica. Since that date they are being worked by the *Compañia Boratera de Chilcaya* (Chilcaya Borax Company) which is protected by verdicts of the Illustrious Court of Appeals of Iquique.

The writer is familiar with this fact because the fees paid as privilege for these borax deposits are the chief source of municipal income of Arica, whose Board of Aldermen (Junta de Alcaldes) I preside owing to my position as Governor.

From Colonial times up to the present day not the slightest doubt has ever arisen relative to the lawful jurisdiction of Arica over this region, neither judicially, administratively nor ecclesiastically, which, to this day, belongs, as do the territories of Arica and Tacna, to the Bishopric of Arequipa and to the Parish of Arica; all titles to real estate situated to the south, east and west of Anocariri, including the pasturages of "*Taruguiri*" belonging to the Belaúnde family, are inscribed in the Register of Arica from earliest times.

The chart which accompanies this report and which has been made from the Paz-Soldan Map and that drawn by the Wilson Commission, is an accurate and an official document according to



instructions issued by the Supreme Government. All particulars have been secured on the spot, and starting from the principal point established by the laws on the subject, to the effect that "*The Gap and River of Camarones*" form the boundary between Arica and Pisagua, the said chart will give you a complete and accurate idea of the true location of this Gap and River of Camarones, as well as the exact position of the sulphur deposits of "*Anocariri*" and of the borax deposits of "*Chilcaya*," which cannot even remotely be taken as a pretext for legitimate litigation on the subject of the true jurisdiction of these regions.

## CHAPTER II

In the present petition for a report, the Supreme Government is requested, so as to immediately put an end to the litigation which has arisen, that the Supreme Decrees of November 3, 1885 and August 28, 1888 be complemented by an order to designate upon the spot the dividing line between both Departments of Pisagua and Arica, necessarily taking into consideration the northern edge of the Umayani Gap.

I consider it very doubtful whether the boundaries of a department can be altered by means of a mere Decree which might conflict with the Constitution, with the spirit and the letter of the laws creating the Provinces of Tacna and Tarapacá, as well as with the Treaty of Ancon upon whose stipulations they were framed. Besides, it is inappropriate and unnatural from every point of view to select as that boundary a line based upon the direction of a waterless gap which does not touch the international boundary line with Bolivia unless the same should be prolonged in an imaginary direction, thus conflicting with the Treaty above referred to and with the maps drawn up by Paz-Soldan and Barrera, upon which Sr. MacIver bases his petition, thus making an unconstitutional request.

In the face of such clear and precise constitutional regulations, such as Article 37, paragraph 5, and Article 160, I am compelled to declare that I am assailed by doubts of a legal nature, with regard to the genuine jurisdiction which is to prevail in respect to the settlements situated between the northern edge of the Camarones Gap and the River of this same name; because this jurisdiction was only withdrawn from Arica through the Supreme Decrees of November 3, 1885 and August 28, 1888, which reorganized the boundaries of the Departments of Pisagua and Arica, situating them on the northern edge of the Camarones Gap thus annulling

and contravening the laws which created the Provinces of Tacna and Arica, the Treaty of Ancon upon which they are founded and Article 37, paragraph 5 of the State Constitution. The laws creating the Provinces and the Treaty of Ancon both designated the "*Gap and River of Camarones*" as the southern boundary of Tacna and the northern boundary of Tarapacá; it is therefore logical to conclude according to these laws that the dividing line must run through the center of the Gap for the whole length of its course.

The Supreme Decree of May 9, 1885, which divides the Department of Arica into Sub-Delegations, is absolutely constitutional because it does not deal with the boundaries assigned by the law on this matter. This decree expressly states that the southern boundary of the rural Sub-Delegation of Codpa is the same which is assigned by law to the Department of Arica, "Including the sources of the Vitor and Camarones Rivers and adjacent territories as far as the cordillera."

This decree, which has not been either expressly or tacitly abrogated, likewise settles any doubts which might arise because it defines the dividing line of the two Departments on the spot itself, a line which has been familiar from Colonial times and which runs uninterruptedly from the *divortio aquarum* in the cordillera conterminous with Bolivia to its terminus at the disembogement of the River Camarones on the Pacific Ocean.

### CHAPTER III

#### *Conclusions*

This Governorship has not wished to present its report, as has been solicited, without having made a detailed and painstaking study of the delicate matter to which Sr. David MacIver's petition refers, interrogating the minor officials of the conterminous region and revising the different plans and maps already known, as well as the Peruvian and Chilean laws which refer to this matter which has been presented for decision to the Supreme Government.

The conclusions arrived at and submitted by this Governorship to your impartial consideration are the following:

1. The delimitation which is desired by the principal in this petition, is unnecessary because it has already been carried out and a survey effected along its entire length, from sea to mountain, from times immemorial; and further, because this is confirmed in the official acts of the Government of the Republic, while it is



worthy of note that the decrees of November 3, 1885 and August 28, 1888, which are the foundations upon which the present Petition rests, prove precisely the contrary to what Petitioner desires; these decrees consistently maintain that the boundary is the northern edge of the Camarones Gap, which passes on the northern side of Pachica, Guancarane and Esquiña; besides, the Umayani Gap, which is very much to the west of these settlements and is outside the northern edge of the Camarones Gap, cannot even remotely be taken as the origin of the Camarones; such a contention would be contrary to the national laws and decrees which have been quoted, and would also be contrary even to the natural laws because this Gap is absolutely waterless and because it is very near to the mouth of the river and a considerable distance from its source. This conclusion is in perfect harmony with the map of the Camarones region drawn up by Agustin Renjifo, the engineer to the Wilson Commission which was entrusted by the Ministry of Foreign Affairs with the drawing up of that official map, which the writer had the opportunity to examine in the offices of his Excellency the President of the Republic, at the time when Messrs. Walker M. and Concha S., respectively Ministers of the Interior and of War, were present, as well as the Financial Delegate on Nitrate and the Chief of the Bureau of Geography and Mines, of the Department of Public Work, and Sr. Abraham König.

This map which has been most scrupulously drawn up after much study and personal surveys effected upon the spot, is considered to be the most scientific and accurate work yet done relating to that region and it contradicts the allegations of Petitioner relative to the non-existence of any physical delimitation between the territories of the Provinces of Tacna and Tarapacá.

2. That in no case can the dividing line between Pisagua and Arica be any other than the natural line formed by the course of the River Caritaya, which rises in the *Huaihuasi Hill*, situated on the frontiers of Bolivia and which keeps this name as far as the place called *Arepunta*, and which, from there on, flows down west and is then known as the Camarones until it falls into the sea. There is no need, therefore, for imaginary lines which would only be at variance with the letter and spirit of the laws and international treaties still in force.

In addition to the chart you will likewise find enclosed the copy of the description of the Camarones Gap which Astaburuaga makes in his Geographical Dictionary.—M. MONTT M.

## No. 44

### Geographical Dictionary of Astaburuaga

CAMARONES (Gap and River of). This is a long, wide and deep valley or gorge which extends to the southwest from the Andes on the dividing line between Chile and Bolivia, along the boundary which divides the Provinces of Tacna and Tarapacá, that is to say their respective Departments of Arica and Pisagua, down to its terminus on the Pacific at  $19^{\circ} 12'$  and  $70^{\circ} 20'$  degrees latitude and longitude respectively. It runs in a slightly irregular direction for more than 150 milometres with a mean width of not less than 3 kilometres, small, bare hills and high and arid plateaus occurring on its flanks. It contains many small valleys and fertile land which produce abundant vegetable produce but none of a plant-like nature which will not thrive owing to the brackish quality of the water. Among these valleys or arable plots which are inhabited, are those of Buen Retiro, Conanosa, Cuchisa, Cuya, Chupicilca, Guancarane, Humallani, Maquita, Molino de Camarones and Taltapi. The flow of water which traverses this gap ordinarily forms a small river; but in its eastern section it is swollen by the rains from the Andes region, though as it gradually approaches the coast its flow diminishes so that a little before its terminus, that is to say in that portion near the gate of the Chisa Gap, it is reduced to a few pools and marshy land. The name of this gap, as well as that of the river, is due to the abundance of prawns (*astacus chilensis*) which breed there, some of which having been found the size of sea crayfish.

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## No. 45

### Communication from the Intendente of Tacna

No. 220.

Tacna, March 21, 1900.

Mr. Minister: According to the required procedure I sent the petition of Sr. David MacIver and the Report of the Chief of the Bureau of Geography and Mines, of the Department of Public Works, to the Governor of Arica to be reported upon by him since the matter is within his immediate jurisdiction.

The above-mentioned official has returned the papers in the Case together with an exhaustive report and enclosing likewise a detailed chart of the conterminous region with Pisagua and with the neighboring Republic of Bolivia, dealing principally with the boundary lines dividing the Chilean departments up to their intersection with the Bolivian frontier.

After a conscientious study made by the writer of the Paz-



Soldan Atlas to which Petitioner refers; from different information submitted by persons well acquainted with these localities; from the letter and spirit of the laws which created the Provinces of Tacna and Tarapacá as well as from the Supreme Decrees which delimited the departmental divisions, I am convinced that the conclusions reached by the Governor of Arica are in complete agreement with accurate and well proven facts.

This Intendency could shed no further light on this matter other than that which is derived from the reasons, quotations and remarks accumulated in Sr. Montt's Report above mentioned, and as a proof from neutral sources, I have added to the enclosures a copy, No. 4691 of "El Comercio" of La Paz (Bolivia), which publishes a borax denouncement in the Achachamayo Lagoon in litigation, which is another name for that of *Chilcaya*, *in which it is stated that this property is adjacent to the Department of Arica, in Chilean occupation, to the northeast of the Camarones Gap.*

This Petitioner would naturally not wish to give an erroneous location to his borax-bearing property, although Bolivia is denied any jurisdiction in that borax-bearing marsh or lagoon because her alleged titles are derived from a suppositious Royal Warrant (Real Cédula); but nevertheless, the location which is assigned to these deposits is in agreement with the Report of the Governor of Arica, when he states that they are to be found to the northeast of the Camarones Gap and not of that of Umayani, which Paz-Soldan never mentions and which does not originate in the Cordillera conterminous with Bolivia.

It is incorrect to think that the workings of the borate and sulphur deposits would be simplified by sending the produce to the Port of Pisagua, because transportation to this port would necessitate overcoming the difficulties of carriage through the deep valleys and intervening gorges, including that of Camarones, etc.; while to reach the Port of Arica only a gentle descent down the foothills of the cordillera to Azapa is required, from which point there is a road used for a long time past, by traffic. The British firm of Bishop & Company is building the extension of this road to Chilcaya, and its engineers would certainly not have chosen a more difficult and costlier route merely to avoid using the outlet through Pisagua.

These slight remarks as well as the very convincing ones contained in the Governor's Report will be sufficient to enlighten your department in the delicate and important decision which it is to take.—M. F. PALACIOS B.

## Report of the Engineer H. Wallace

In May, 1897, I was commissioned to report upon the sulphur deposits in all that region which extends from the Isluga Volcano to the Huallatiri Hill. In this connection I was obliged to go over the valleys of Tacna and Azapa and the Aico, Vitor and Camarones Gaps, from the Pacific Ocean up to the Andes in Bolivia, as well as all the northern portion of the Department of Pisagua.

I was assisted in my observations by the calculations of Fitz Roy and by the British Navigation charts. The atlas and the geographical text by Paz-Soldan contained very little information concerning this region. The work by Raimondi, which it is very useful and important to consult in the studies it has effected respecting the Center and North of Peru, is very deficient with regard to this region, while Barrera's plan, although much more recent than the works of Raimondi and Paz-Soldan, does not furnish any additional information on the subject.

I was therefore obliged to personally verify the observations and astronomical calculations so as to obtain the latitudes.

The River Camarones is made up of the Rivers Ajatama and Caritaya at the point of confluence, which the denizens call Aripunta or Arepunta. From this place down to the Pacific, the course of the River Camarones is uniformly constant. The only doubt which has arisen therefore, relates to whether the boundary of the Departments of Arica and Pisagua, which is the River and Gap of Camarones, should be represented from Arepunta up to Bolivia by the River Ajatama or by the Caritaya.

Once upon the ground itself, there can be no possible doubt thereon; any uncertainty could only arise in the mind of some one whose only knowledge was obtained from the geographical maps which I have mentioned, which are very deficient and almost useless in respect to these parts.

*In my opinion there is no problem which requires solving, because the problem is ready solved upon its mere enunciation.*

The Ajatama River rises at a considerable distance from the Bolivian frontier and is principally made up of the Blanco River and the Jaruma Gap; the first lies to the southwest of the Chilcaya or Achachamayo Lagoon and the second runs in a straight line due north about 20 kilometres from the Bolivian frontier.



The Caritaya River alone has its source in the frontier of this Republic in Hauihuasi Hill, about  $19^{\circ} 2'$  latitude.

The Departments of Arica and Pisagua are both adjacent to the Republic of Bolivia, so that the River Caritaya alone continues the course of the River Camarones up to the common frontier.

Should the problem refer solely to the location of the Chilcaya Lagoon, the matter is still clearer and more simple, because both the Rivers Caritaya and Ajatama rise and flow to the south of this Lagoon.

The Ajatama rises, indeed, in the hills which form the lagoon or swamp of Chilcaya, which lies to the north of the watershed.

I cannot conceive that the supposition, to the effect that the River and Gap of Camarones continue naturally through the Umayani Gap or even through that of Sahuaca, can be taken seriously. Umayani is only a gorge, almost always waterless and ends much nearer to the mouth than to the source of the Camarones. The Gap of Sahuaca ends more to the east, but there it meets the Camarones River when the latter is already developed and flowing in full stream down from Arepunta.

Besides, both Gaps have a northerly direction, thus leaving the River Ajatama to the east, and the Chilcaya Lagoon, therefore, to a still greater extent east.

*As for the Umayani Gap, the manifest absurdity of this supposition will be apparent by merely stating that it occurs in the same hills which form the Vitor Gap, and necessarily leaves to the south, therefore, almost all the hydrographic bed of the River Camarones.*

The line of the Camarones River is purely theoretical as superficially indicated by Paz-Soldan, with no mention or descriptions whatever of the affluents which in effect contribute to its formation.

The map of this region with regard to rivers and places, is almost a blank and contains hardly any indications.

The only distinct information which it contains in this respect is that Sr. Paz-Soldan determines the boundaries of Arica and Pisagua for the whole course of the River Camarones, from its mouth up to its source on the frontiers of Bolivia, which, as I have already stated, is no other than the Huaihuasi Hill. The outline given by Paz-Soldan is correct in so far as the origin (of the River) is concerned, and he is only mistaken about the ground due to his inadequate knowledge of or insufficient information upon this region.

The chart of the Nitrate Revenue Delegation, drawn up in

1896, is likewise very deficient in respect to this region; but it gets nearer to the truth as to latitude when it gives the source of the River Camarones as  $18^{\circ} 55'$ .

Rio Blanco, February 3, 1900.—H. WALLACE.

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## No. 47

### Report from Sr. Agustin Renjifo

The Treaty of Ancon between the Governments of Chile and Peru stipulated that the northern boundary of the Province of Tarapacá is the River and Gap of Camarones. This stipulation contained in an international agreement, subsequently confirmed in an identical manner by all the documents and official acts of both Governments, is the only positive foundation which we must consider when geographically defining the delimitation of the territories of Arica and Pisagua from the Pacific Ocean up to its common boundary in the East, which is the Republic of Bolivia.

So as to determine with absolute clearness and precision the geographical line which divides the territories of both Departments, it is therefore imperative that this line shall coincide for its entire length with the boundary as defined in the international agreement above mentioned, and this is the River and Gap of Camarones.

The River Camarones rises in the Andes mountains and dis-embogues in the Pacific Ocean. It receives the waters of the Rivers Caritaya and Ajatama, while the Pampanone, Saguaca and Umayani Gaps converge therein. The union of these rivers and gaps forms the hydrographic bed of the River Camarones, from the Pacific Ocean to the *divortio aquarum*. The dividing line must therefore start from a point at the *divortio aquarum*, and as the Republic of Bolivia is the common boundary of both Departments on the east, the point of intersection of these three territories, Arica, Pisagua and Bolivia, must necessarily occur at the *divortio aquarum* and on the Bolivian frontier. Otherwise the geographical expression, "Gap and River of Camarones," could not express in any manner the real and exact boundary of the territories of Arica and Pisagua for its whole length from east to west.

Starting from this premise which is of capital importance, and assisted by the geographical plan which we have drawn up on the ground itself, it is abundantly clear and compelling from even a



casual observation, that the point of intersection of the three territories cannot be established to the north of the Huaihuasi Hill, because from this point on, the Bolivian frontier and the *divortio aquarum* grow increasingly further apart towards the north in the shape of a V whose vertex would be this same Huaihuasi Hill.

The River and Gap of Camarones consistently preserve the same designation from their disembogement on the Pacific Ocean up to *Arepunta*, all other streams or gaps which join the chief stream lower down than Arepunta therefore, are necessarily excluded as boundary lines, among these being the Salmaca, Umayani and Pampanone Gaps.

From Arepunta towards the east, the River Camarones divides into two principal arms which are the only ones that could be taken for the determination of the departmental boundaries; these are the Ajatama and the Caritaya.

Of these two rivers the Ajatama receives the streams which flow from the Anacarire and Chuquinando Hills, which occur to the north of and at a considerable distance from Huaihuasi Hill, and quite outside the intersecting point between the *divortio aquarum* and the Republic of Bolivia.

It is therefore impossible for the Ajatama to be considered as the dividing line between Arica and Pisagua, while it should be noted, as an additional reason, that its course is greatly deflected from the general direction of the Camarones River.

The Caritaya must therefore be taken as the chief affluent of the Camarones:

*First.* Owing to the volume of water carried by it and its unvarying characteristics as far as the Bolivian frontier.

*Second.* Because its direction naturally continues the course of this river.

*Third.* Because this same direction inclines more towards the parallel which is the most perfect line from east to west.

The Caritaya rises in the Huaihuasi Hill which, as we have stated, occurs at the intersecting point of the *divortio aquarum* and the Republic of Bolivia and in this manner fulfills the chief conditions required for the dividing line between the departments as an absolute part and a natural continuation of "The River and Gap of Camarones."

Any other river or gap or arbitrary line which might be selected as a boundary north of the Caritaya River, would at least be incomplete and could not, in any case, be logically considered as a

boundary line extending up to the Bolivian frontier, which is the recognized common boundary of the Departments of Arica and Pisagua.

The Supreme Decrees of November 3, 1885 and August 28, 1888, contain two stipulations which refer to and implicitly confirm the demonstration given above. They stipulate that (1) the northern boundary of the Department of Pisagua is the northern edge of the Camarones Gap, and (2) that the settlements of Guancarane, Esquiña and Pachica are considered to be within the territory of Pisagua, because they are situated on the northern edge of the Camarones Gap.

Irrespective of what the legal scope of these decrees may be, a consideration which is outside our province, it cannot alter the correctness of the geographical facts which we have stated, while quite on the contrary indeed, it only confirms once more that the boundaries of the Departments of Arica and Pisagua cannot extend more to the north than the northern edge of the Camarones Gap, a fundamental fact which is recognized in the decrees and is in agreement with the Treaty of Ancon.

The decree of August 28th, 1888, has in addition another important aspect from the point of view at present under discussion.

This decree stipulates that the settlement of Esquiña is situated on the northern edge of the Camarones Gap, which proves that the Umayani, Saguaca and Pampanone Gaps and in general, all those which end lower down than Esquiña, are outside the dividing line.

Summarizing the above explanation we therefore reach the following conclusions:

1. The dividing line of the Department of Arica and Pisagua cannot lie beyond the Camarones Gap and River owing to the Treaty of Ancon and also to all official acts which, without exception, have consecrated this principle.

2. By virtue of this same principle the position of the dividing line is clear beyond all doubt up to the point called *Arepunta*, where the river loses its name so as to take on those of its affluents, the Ajatama and Caritaya.

3. Of these affluents the Caritaya is the only one which continues the dividing line formed by the River Camarones up to the Bolivian frontier, and finally,

4. That the starting point of the dividing line at the intersection of the *divortio aquarum* with the Republic of Bolivia must be established in Huaihuasi Hill, that is to say at the source of the River Caritaya.



The data we have assembled in this Report have been scrupulously checked up on the ground; while it should be observed that the closure of the polygon, in the plan which we drew up on instructions from the Supreme Government, is not more than 500 metres out on a perimeter of 130 kilometers and on a scale of 1-100,000. Santiago, February 14, 1900.—AGUSTIN RENJIFO.

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## No. 48

### **The Report of the Engineer Josiah Harding, Appointed by the Judge of Arica to report upon the Location of the Chilcaya Borate Deposits.**

Sir: For the purpose of executing your instructions, given me on the third instant at the camp of the Chilcaya Borate Deposits, I left the German Bank's camp the following day, and during the 4th, 5th and 6th I went over the region indicated by you, taking observations from different points, principally for the purpose of ascertaining the accuracy of the Boundary Commission's map and taking note of the points specially recommended by you.

I shall therefore reply exactly to those questions which have been put to me, and shall afterwards express my general opinion upon the matter you have entrusted to me.

1. *Taruguire Pasturages*.—These pasturages, in the center of which the old settlement is located, appear fairly well indicated on the chart which I enclose, which is the work of the Boundary Commission and the correctness of which I have verified. This settlement is more or less 13 kilometers in a straight line west-southeast from the German camp (the nearest point to the Chilcaya or Surire Lagoon). These pasturages are on the left bank of the Ajatama River, between the Estuary of Taruguire and the River Sura-Sura, situated to the south of the Obrecht-Pizarro line and to the north of the Bertrand line.

2. On the road from Arica to the borate deposits of Chilcaya or Surire, the River Tignamar is crossed, which is an affluent of the Azapa, and the River Otaiza, an affluent of the Vitor. No affluent of the Camarones is crossed. And further, the straight line from the Ocacollo Hill (which is situated in the center of the lake) to Arica does not cross any affluent of the Camarones River either. With regard to Mr. MacDonald's remarks, to the effect that the *extensions* of some of the affluents are crossed, cannot be denied, since extensions can be prolonged infinitely.

In reply to Sr. Carlevarino's question contained in the summons, I will say that it is possible to go from Chilcaya to Pisagua and not to have to cross the Caritaya, starting from the eastern end of the lake and traveling south up to the Carangas Camiña Road. The two usual roads cross the River Caritaya and the straight line, drawn from the Ocacollo Hill to Pisagua, not only crosses the Caritaya 10 kilometers from Arepunta, but it also crosses some of the affluents of the Ajatama, such as the Sura-Sura.

3. The *exact* superficies of the borate deposits is almost impossible to ascertain, since more than a year would be required for a survey, withdrawal and tests of samples, and even then the result would not be *exact*, because there are many areas on the lake entirely lacking in borate, others with a lower average, etc., so that it would be impossible to say that this or the other might or might not contain borate. However, a superficies of 9,000 "hectares" would include the parts of the lake containing borates in greater or lesser quantities.

Passing now to the questions contained in the summons taken out by Sr. Carlevarino and which you indeed desired me to answer:

I have already replied to the first in my second answer, and to the second in my first answer; the third I have replied to in my third answer.

4. The question is worded in such vague terms that a definite reply is somewhat difficult to make. To draw a polygon around the lake to ascertain the total area might take ten days, and to effect this result by triangulation would take even less. The presence of water in this instance would not affect the result.

5. This would also depend upon the shape of the lots (*per-tenencias*) but it is likely that 180 kilometers would have to be surveyed and with the marshes covered by water, 10 kilometers daily as a good day's work might have to be reckoned. In this manner the work might be concluded in 18 days. A great deal would depend, however, on the experience and on the number of assistants and on the amount of water which might be present.

6. This I believe to be absolutely impossible.

7. By building high landmarks, even though they would crumble, a cone of calcareous earth would still remain which might last a year or more according to the winds and to the violence of the waves which occur on the lake.

8. I find that the Caritaya has a volume of water at this season of the year equal to two and a half times that of the Ajatama from its point of confluence with the Blanco or Sura-Sura River up to



Arepunta. That the Caritaya carries this volume of water for a greater distance, and that the total length of the Caritaya in conjunction with the Huaihuasi is much greater than the Ajatama.

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Having replied to the definite questions which had been made to me, I shall, in compliance with your wishes, make a few remarks on the points I have been able to observe.

From astronomical observations, etc., which I have carried out, I find that the map which is enclosed is sufficiently accurate, and that only in the small map—which is attached to Sr. Bertrand's report—do I find that the divisions of the hydrographic basin do not exactly tally with the ground, doubtless due to the fact that it was drawn up later.

I find that the true line which divides the waters of the Caritaya from those of the Ajatama, would widen the basin of the Caritaya at the expense of that of the Ajatama; but, as I shall show later on, this fact does not affect the point at issue.

I find that the Obrecht-Pizarro Commission, as well as that of Sr. Bertrand, executed their duties while never losing sight of the fact that they were Chilean experts working on a boundary question, and that they did not give sufficient importance to the consideration that they had no opponents. This spirit is very apparent in the following paragraph from Sr. Bertrand's report:

"It is very suitable, therefore, that the Chilean Government should at once act upon this right and should settle the demarcation in detail of the dividing line upon which it may decide by means of a decree. In this manner, and only thus, will it be able to add to its legal and traditional titles, which I believe I have succeeded in clearly proving in this report, that of *possession*, whose importance in every kind of tribunal we can appreciate from experience."

This argument loses much of its force when we consider that Chile is in possession of all the Province of Tacna and that any administrative act which she might undertake therein could not affect the matter of her boundaries with Tarapacá in the eventuality (so remote as to be hardly worth taking into consideration) that this boundary should eventually become the frontier between Peru and Chile. Nevertheless, for the purposes of the present suit, this point must also be studied and arguments presented which a Peruvian expert would be likely to set forth.

Putting on one side my Chilean sympathies, acquired during a residence of many years in the country, I shall first put myself in

the place of a Peruvian expert and then I shall endeavor to give an impartial opinion.

Upon what basis is this question to be judged? Without any doubt this must be done according to the *Treaty of Ancon*. Sr. Bertrand impatiently brushes it aside. Because the signatories of the Treaty made use of incorrect terms when delimitating the southern boundary of Tarapacá, must it be taken for granted that such inaccuracies are present as regards the northern boundary? I do not think so even now, because it was known that Peru had no interest whatever in the *southern* boundary, while as regards the *northern* boundary, should it some day become the frontier between both countries it would certainly have to be settled according to the Treaty stipulations. We therefore have to decide which is the "River and Gap of Camarones" as far as the Bolivian frontier.

So as to properly understand the peculiarities of the rivers of the cordillera, it is imperative to take the meteorology of the region into consideration. The winds from the west or from the Pacific are generally dry and bring no rain, while on the contrary those from the east and northeast, at certain seasons of the year, come charged with moisture, which explains why the hills further to the west receive very little rain while those to the east get it in abundance.

This is why the Anocariri Hill, which provides the greater part of the waters which flow into the Ajatama, is situated in a drier region than the Huaihuasi and its neighbors which provide the waters which run into the Caritaya. This condition is aggravated from the fact that to the east and northeast of Anocariri, the high peaks of Arintica and Pucuntica first, and secondly the imposing Huayatiri—one of the highest hills of the Bolivian cordillera—occur; while to the east of Huaihuasi is found the great plain of Parajoyas, bare of any important elevation. From this it will be noted that the clouds charged with moisture, which would otherwise discharge their water in the Anocariri River, are attracted first by the Huallatiri and then by the Pucuntica and Arintica Hills, the trifling remainder eventually reaching the affluents of the Ajatama, while the clouds which cross the Bolivian plains towards Huaihuasi find no obstacle in their direct path except the Tembladero Hill, a little to the north and of small importance in this connection. It is therefore logical to suppose that the volume of water of the Caritaya would always be greater and more consistent than that of the Ajatama, considering that the



Huaihuasi is greater than the Anocariri in every respect. The greater quantity of the waters which manage to pass over the northern flank of Huaihuasi is precipitated on the high plateaus of Surire and on Amachuma Hill. Since that hill has some high peaks (notably that of Chuquiananta), it follows that it usually contributes water copiously to the Ajatama by means of the Sura-Sura, owing to which there have been times when the Ajatama, a little above its point of confluence with the Sura-Sura, was dry when this latter carried water. This explains why Sr. Wallace considered the Sura-Sura as the principal affluent of the Ajatama because it was the most constant of all.

What do we see in actual fact? On the 15th of October of this year, the Caritaya had a volume of water *two and a half times greater* than the Ajatama between the Sura-Sura and the Arepunta, and that the Sura-Sura contributes 40 per cent of the waters of the Ajatama. Higher up than the confluence of the Taruguiri, the Ajatama is an insignificant estuary, while the Caritaya carries its full volume over a greater distance.

As to the course of the rivers from Arepunta, for a certain distance upstream both rivers run so near and so parallel that it is hard to choose (between them); but on drawing a line from the source of both up to Arepunta, there can be no doubt that the Caritaya is nearer the point of Camarones, especially when taking the first 10 kilometers from Arepunta downstream.

Which of the affluents is nearer to the frontier of Bolivia? It appears that all the participators in the Treaty of Ancon had the idea that Huaihuasi was the point on the dividing line with Bolivia, and that therefore (presuming this to be the case) there is no need for the question, and the dividing line which is sought would follow the course of the Caritaya and the Huaihuasi up to its source.

As the Bolivian frontier withdraws more to the east, it was natural not to give up the line of the Caritaya, but to prolong it instead, drawing a straight line from the top of Huaihuasi to the point nearest the Bolivian frontier, to the Tembladero Hill.

On standing near the confluence of the Rivers Ajatama and Caritaya, towards the east and inclined a little to the south, the Caritaya Valley appears, broad and undulating, which ends in the distant Huaihuasi Hill. On the north can be seen the imposing chain formed by the Surire range, which is nothing less than the continental *divortio aquarum*. The Obrecht-Pizarro line, deviating to the north and then to the east, encloses the whole

basin of the lake in question, while the Bertrand line crosses the range, following the base thereof on the northern side. On viewing it from the aforesaid spot, it seems unthinkable that any of these lines should be the River Camarones, when the line can be completed through the Caritaya Valley without having recourse to such heroic means.

In conclusion, the Peruvian expert maintains that the northern boundary of the Province of Tarapacá, according to the Treaty of Ancon, is that stretch to the east of Arepunta lying in the Caritaya River and Huaihuasi, through a straight line from the course of the stream of this same name (Huaihuasi) up to the nearest point on the Bolivian frontier, because: *first*, the Caritaya carries more water and is more permanent; *second*, the course of the source-rivers coincides to a greater extent with the course of the Camarones in its higher reaches (*parte superior*); *third*, because it is nearest to the Bolivian frontier; *fourth*, because it crosses no basin but its own, except during the short distance between Huaihuasi and Tembladero, which almost coincides with (the imaginary line to) the *divortio aquarum*.

Taking these arguments into consideration now as an impartial expert—those of Messrs. Obrecht and Pizarro and those of Sr. Bertrand—I think that the line adopted by the first-named might be compared to the decision of a Court of Arbitration respecting delimitation, but should compliance with the Treaty of Ancon be required, there is no Chilean expert who would dare to defend such a line.

Sr. Bertrand abides by a line which, from the point of view of a Chilean professional man, is the most advantageous that could be adopted, and he defends his selection by powerful arguments; but I find that he argues outside the question, leaving the Treaty of Ancon out of consideration in that part which settles the boundaries of the Province of Tarapacá, while he proceeds entirely as though this clause were non-existent.

I find his arguments in favor of the River Caritaya very powerful; and the principal objection against them lies in the fact that quite half of its length occurs considerably to the south of the general line. Since the Camarones River ends at Arepunta, it would be more logical to trace a straight line from this point up to the nearest point on the Bolivian frontier; but this would have the disadvantage of intersecting the course of several rivers, so I think that the best plan would be to adopt the line which divides the basins of the Ajatama and Caritaya, and that of the Chilcaya



or Surire Lagoon of the Parajaya Plain, and ending in the Tembladero Hill.

I consider a line which would cross the Surire cordon as being absolutely inadmissible, since it would thus invade the hydrographic basin which has no connection whatever with the River Camarones. The line I indicate could be modified in the sense of establishing certain points thereon which might be united by straight lines of greater or lesser length.

I enclose a map, drawn up by the Boundary Commission, on which I have shown the boundary with the Republic of Bolivia, the Obrecht-Pizarro line and that of Bertrand; that of the supposed Peruvian expert as well as the line which divides the basins of the Rivers Ajatama and Caritaya, prolonged up to the Bolivian frontier.

I have also shown a straight line from Oquencollo Hill towards Arica and another from the same hill in the direction of Pisagua.

The map published by Felipe A. Barrios is absolutely inaccurate with respect to the course of the rivers.

Tacna, October 17, 1904.—JOSIAH HARDING.

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#### No. 49

### Verdict of the Judge of Arica in the Suit relative to the Borate Deposits of Chilcaya.

Arica, December 17, 1904.

Wherefore: Sr. Pedro V. Real, lawyer and attorney, domiciled in Tacna, on behalf of the Banco Aleman Trasatlantico (German Transatlantic Bank) domiciled in Iquique, and holding the necessary power-of-attorney (p. 21) and a deed of bargain and sale on page 1, appeared before the Tribunal of Pisagua bringing suit signed likewise by the vendors, Eduardo Vigil Z. merchant, at present domiciled in Santiago, and Augusto V. Polastri, merchant, deceased in Lima, and in his petition, on p. 17, declares: That he is bringing action in replevin respecting 80 lots (per tenencias) of borax, each 50 "hectareas," situated in the Surire Plain, Department of Pisagua, the action being directed against Messrs. Eugenio Marchand, manager of the Society entitled "Compañia Minera de Chilcaya," Miguel Casanovas, Andres Laneri and José Espada, to obtain judgment compelling them to make restitution to his principals of the ownership of those borate deposits; that he bases his demand on the duly registered title, which is produced in evidence, and which recites that, on

February 28, 1899, the contract of bargain and sale was converted into a public deed between the bank he represents and Messrs. Eduardo Vigil Z. and Augusto V. Polastri, by virtue of which the petitioner acquired the property and the domain to which the suit refers, such domain being the foundation of the public and authentic instrument; that the designation of the property involved, which it is desired to recover, is contained in certain numbers, its location, boundaries and other particulars which identify it appearing on the attached title, the contents of which shall be considered as absolute part and parcel of the records of the suit; and he asks that the petition in replevin be duly heard together with the title which completes it; and finally that judgment shall declare that such action is appropriate and the aforementioned persons be condemned to make restitution of each and everyone of the borate deposits, objects of this suit and described in the instrument herein enclosed, together with all expenses, interest thereon and compensation for damages and costs due to defendants for having taken possession of the property of petitioner by stealth and with no legal right thereto whatsoever; and thirdly, he states that the vendors Eduardo Vigil Z. and Augusto V. Polastri, with regard to whom his client, Banco Aleman Trasatlantico, reserved all rights as granted by law, accept such reserve and agree to the demand both for the purpose of affirming its object and of acknowledging the notice of the good condition and of clear title, to the effect that they may in future continue such action for their own account without prejudice to the intervention which his client may desire to effect according as best suits his interests.

The Court of Pisagua duly issued notification to respondents on August 25, 1899. The latter did not respond to the citation but entered on appeal with the Judge of this Department, praying that he undertake the necessary suit in competence before the Judge of the Department of Pisagua.

The Court accepted the petition and issued the necessary letters requisitorial, contained on page 35 of the papers of the complaint.

The Court of Pisagua after having agreed to accept the incident as test and once the parties had furnished the voluminous attestations in proof, both oral and documentary, contained in the records, declared itself incompetent to try the case according to its verdict of July, 1901, confirmed by that of the Higher



Court on December 6 of the same year, for the following reason: That the location of the Chilcaya or Surire borate deposits being the fundamental point at issue in the suit in replevin, competence therein cannot be accepted or rejected on the merits of whether they happen to be or do not happen to be within the jurisdiction of Pisagua, irrespective of any decision upon the principal business; and second that on this occasion therefore, the general rule as to legal residence of the respondents must be followed, according to Article 212 of the Law of October 15, 1875, and such residence in the present case is that of the jurisdiction to which they had resorted and within which they locate the said business, subject of the dispute.

Sr. Federico Guarachi C., attorney, domiciled in Tacna, replying to the suit before this court, in representation of Messrs. Andres Laneri, José Espada and Miguel Casanovas, merchants, domiciled in Tacna and in the Department of Arica, for the purposes of this suit, and in his reply contained on page 327 states: That according to a resolution (*Resolucion de Termino*) it was decided that the Court of Arica is competent to try this suit, therefore, he presents himself to reply to the charges in the name and on behalf of his clients, asking that the suit be dismissed with costs; that applicant bases his claim on the title which is exhibited which proves that on February 28, 1899, the contract of bargain and sale was converted into a public deed relative to the borate deposits whose recovery is sought; that he opposes the suit for the following reasons: That the borate deposits whose ownership is claimed by petitioner are located in the Department of Arica and not in Pisagua while their true denomination is Chilcaya and not Surire; second, that the discovery of the said deposits was effected by some of the present owners thereof, residing in Arica, the necessary legal steps for the due recognition of discovery and ownership having been effected before the Court of the Department aforesaid; third, that his clients have possessed up to the present and still possess their respective lots, no question as to their ownership having been raised other than those brought about through the suits for summary possession brought by Eleodoro Muñoz Baeza and others before the Courts of Arica and Pisagua; fourth, that his clients had protected their properties by the payment of taxes since they were incorporated; fifth, that neither petitioner nor any others entitled to rights (*causa-habientes*) have ever

surveyed the lots they now claim nor have they ever had possession thereof for one single instant, either of themselves or through some third party.

Sr. Eugenio Marchand, farmer, domiciled in Tacna and in the Department of Arica, for the purposes of this suit, and in the name of the "*Compania Boratera de Chilcaya*," replying to the claim prays for his part that the suit be dismissed with costs, for the same reasons as those expressed by Messrs. Espada, Laneri and Casanovas in their joint reply, for the additional personal reasons as follows: (1) That he has worked and still works his lots since very shortly after he had acquired them, with no impediment other than that proceeding from the suit for summary possession brought on a previous occasion by Eleodoro Muñoz Baeza; and (2) that notwithstanding the fact that, by reason of the location, priority of discovery and incorporation of property, the "*Compania Boratera de Chilcaya*" is the owner, regardless of the attempts of petitioner, of the lots whose replevin is being sought, while so as to safeguard its title against any unforeseen circumstances, the Company has likewise brought suit before the Courts of Pisagua.

Sr. Pedro V. Real, representing Messrs. Eduardo Vigil Z. and Augusto V. Polastri, in his petition contained on page 337 requested that José Miguel Bravo be notified to prove clear title respecting the borax lots termed "128," "35" and "61," contained on page 334 of the deed herewith submitted.

According to the Verdict on Appeal (*Segunda Instancia*) dated July 29, 1903, contained on page 399, compliance in this suit with the provisions of Article 150 of the Mining Code was ordered.

In oral session of August 21, 1902, the suit was received in proof; the full time as granted by law being conceded, and it was agreed to carry out a personal inspection of the Surire or Chilcaya Lagoon, the Court being authorized to appoint an expert as technical adviser.

Both sides solicited proof by testimony, both expert and instrumental, which appears on record. The furthest extension of time was also granted so as to secure proof in Peru (Arequipa).

The Court carried out the personal examination which is contained in the deed on page 267 of the third volume, the expert appointed being the engineer Josaias Harding, who sub-



mitted the report which, together with the enclosed plan, appears on page 248.

Ordered admitted as part of proof, the enlightening report of the engineer Alejandro Bertrand, chief of the Boundary Commission, who, together with the engineers Anibal Contreras, Victor Caro Tagle, and the assistant, Sr. J. M. Espinoza, was commissioned by the Government to delimit the northern boundary of the Province of Tarapacá.

On page 10 of the third volume a copy of the official report of Messrs. Obrecht and Pizarro appears inserted.

The reports of the engineers Agustin Renjifo and H. Wallace were likewise admitted as proof which appeared on pages 198 and 202 of the volume of proof of the respondents.

In addition, the chief of the Bureau of Geography and Public Mines, Sr. Washington Lastarria, the Delegate for Nitrate Revenue, I. F. Campaña, the Chief of Staff of the Army, General Jorge Boonen Rivera, the Governors of Arica and Pisagua and the Bishop and Vicar of Tarapacá, Guillermo G. Cortez, have testified in writing.

The report of Sr. Bertrand contains a reference to the report of the Government Delegate in Tacna, Sr. M. Guerrero B.

The engineer Sr. Bertrand states that the line of demarcation of the northern boundary of the Province of Tarapacá between Arepunta and the frontier of Bolivia which, belongs, according to investigations undertaken, to the interprovincial divisions of Peru at the time of the cession of Tarapacá to Chile, is the following: The River Ajatama up to the point where it meets the Blanco or Sura-Sura River; from there a straight line to the former boundary of Chacuma or Peñas Blancas; from there another to the Springs of Lirpo; another to the Pupucupune Farm; another to the top of the Pelado Hill of Llareta Plain and from there the line of summits which passes through those of Chulluncayani, Viscachitambo, Portezuelo de Chaca, Castilluma Hill, Achachamayo Hill, Arintica Hill and Puquintica Hill.

It is hereby ordered to include as proof, the Supreme Decree of May 4 of this year which accepts the boundary mentioned in the Bertrand Report and which orders the Boundary Bureau to make it on the spot by means of iron posts.

The expert, Mr. Harding, in his report to the Court, brings forward the arguments which a supposed Peruvian expert would adduce and maintains that, the matter of the northern boundary

of the Province of Tarapacá must be decided on the basis of the Treaty of Ancon and that this boundary, to the east of Arepunta, are the Rivers Caritaya and Huaihuasi through a straight line from the Hill of this same name up to the point nearest to the frontier with Bolivia and thence to the Tembladero Hill owing to the following reasons: (1) That the River Caritaya carries a greater volume of water and is more permanent than the Ajatama; (2) the course of the extensions coincides more with the course of the Camarones in its upper reaches; (3) it is nearer the Bolivian frontier and does not cross any basin but its own, except during a short distance; and when speaking as a neutral expert, he believes that the most proper course would be to decide upon the line which divides the basins of the Ajatama and Caritaya and that of the Chilcaya or Surrre Lagoon from the Plain of Parajaya, ending in the Tembladero Hill.

As proof for the side of petitioner it has been ordered to take account of all the instrumental and testimonial proof adduced in the suit for competence which is contained in volume I.

During the course of the suit petitioners have presented the petitions contained in the deeds on pages 416 and 228 of the second and third volumes, exhibiting for legal purposes the errors and irregularities observed during the suit, which, in their opinion, are sufficient for a request in nullity.

By default of petitioners who have not adduced at the proper time the plea of well-proven, Gerardo Vargas H, merchant, domiciled in Arica, presents the statement contained on page 160, minutely expressing the right of respondents.

Citations to hear sentence having been issued, in view of the foregoing, and in consideration of the point relating to boundaries:

1st. That according to the stipulations contained in Article 2 of the Peace Treaty of October 20, 1883, the Republic of Peru ceded to the Republic of Chile perpetually and unconditionally, the territory of the Province of Tarapacá with the following boundaries: On the north the Gap and River of Camarones, on the south the Gap and River Loa, on the east the Republic of Bolivia, and on the west the Pacific Ocean.

2nd. That by Article 3 of this Treaty it was decided that the territory of the Provinces of Tacna and Arica, which the River Sama bounds on the north from its source in the cordilleras conterminous with Bolivia on its mouth on the sea; to the south



the Gap and River of Camarones, to the east Bolivia, and to the west the Pacific Ocean, shall continue in possession by Chile, subject to Chilean laws and authorities for the term of ten years, at the end of which time a plebiscite shall decide whether the above-referred-to provinces shall remain definitely under the dominion and sovereignty of Chile or shall continue to form part of Peruvian territory.

3rd. That the Treaty of Ancon has been drawn up without doubt under the impression that the "Gap and River of Camarones" physically existed on the ground from the sea to the mountains up to the neighborhood of the eastern boundary with the Republic of Bolivia, as clearly and distinctly appears in the official atlas of Peru by Paz-Soldan.

4th. That from the reports of the engineers Bertrand and Wallace, and according to other technical antecedents which appear in the records of the Case, it would seem that the above atlas is geographically incorrect and incomplete in the portion relative to the boundary of the Provinces of Tacna and Tarapacá, since the Gap and River of Camarones invariably keep this name and are uniform and constant only from the Pacific up to the hill called Arepunta, where the Rivers Ajatama and Caritaya converge and which, with other affluents, all rise on the west of the frontier with Bolivia, and make up the Camarones, so that therefore this Treaty did not specify with sufficient precision the boundary between the two provinces above mentioned.

5th. That since an international agreement is involved, ordinary Courts of Justice would not be competent to interpret the matter even in the private suit presently submitted to it for decision.

6th. That nevertheless, since the Treaty of Ancon, which is likewise a law of the Republic, submits the Territories of Tacna and Arica to Chilean laws and authorities, the Province of Tacna is actually and for all purposes of its administration, Chilean territory, and the dividing line which may be decided upon merely has, for the present, the character of an interprovincial boundary, while it is not intended to define, alter or determine any international dividing line.

7th. That the boundary between the Provinces of Tacna and Tarapacá, according to the laws which created these Provinces, dated October 31, 1884 (p. 86, Counter-Case), are the Gap and

River of Camarones ; but no detail has been specifically given respecting the points which show the boundary on the spot and therefore neither has the law defined, in precise terms, what this boundary is.

8th. That the Supreme Decree of May 4th of the present year has fixed the line of demarcation of the northern boundary of the Province of Tarapacá from Arepunta up to the frontier with Bolivia ; but the decree in question has been issued solely for administrative purposes and specifically so as to prevent, in future, any conflict as to jurisdiction between the authorities of the Departments of Pisagua and Arica.

9th. That as the duties of the legislator are merely to explain or interpret the laws in a general fashion, the referred-to boundary has remained, up to now, undetermined individually or distinctively so as to allow of the establishing of rights and obligations between parties.

10th. That, furthermore, the same decree expressly declares that, as it is the province of ordinary courts of justice to decide with respect to the legal value of jurisdictional acts which the authorities of those departments might have carried out simultaneously, the decree cannot affect the civil rights to which such acts of jurisdiction may give rise.

With reference to the location of the borate deposits, subjects of this action :

11th. That the fundamental basis of the petition is the location of the lots subject of the action for ownership.

12th. That due to the determination of the boundaries adopted between the Departments of Pisagua and Arica, the location of the lots in litigation was uncertain at the time of the respective applications made thereon, and therefore the competence of the Judge was likewise uncertain ; but this Court is also incompetent to decide upon this boundary question, because a law alone can settle boundaries between provinces and departments, and besides, the judiciary is forbidden to interfere with the attributions of the public powers.

13th. That for the purpose of proving the location in the Department of Pisagua of the mining lots in litigation, petitioner has exhibited the following precedents in testimony : Official and technical reports of Messrs. Bertrand, Obrecht and Pizarro ; reports of the Chief of Staff of the Army, of the Chief of the Bureau of Geography and Mines in the Department of Pub-



lic Works, of the Delegate on Nitrate Revenue, of the Vicar of Tarapacá, of the Governor of Pisagua, of the Chief of the Civil Registry of Camiña, a certificate of the Customs of Iquique and other documents on pages 65 to 68 of the third volume.

14th. That the precedents in testimony referred to in the 13th point of the summing up, are contradicted and nullified by the technical and instrumental proof presented by the other side and by other precedents which appear in the records and which are herein appended:

(a) Technical or expert reports of the engineers Messrs. Harding, Renjifo and Wallace which maintain the location of the borate deposits in question to be in the Department of Arica, because it is considered that the continuation of the River Camarones is the River Caritaya and its affluent the Huaihuasi.

(b) Official report of the engineer Caro Tagle, who was easily able to be convinced that the River Caritaya has a greater volume of water than the Ajatama, this latter being more or less three-quarters of the former.

(c) Reports of the Delegate of the Government in Tacna and of the Governor of Arica, which appear on page 80 of the appropriate Volume.

(d) Suit for summary possession and petition in dispossession between the present respondents and Eleodoro Muñoz B. respecting lots located in Surire or Chilcaya, in which this Court was competent to try the Case and issued the verdict of April 7, 1899, confirmed and recognized as valid by the Higher Court (Segunda Instancia) on July 18 of the same year.

(e) Report of the Delegate on Nitrates, exhibited as proof by the petitioners on page 92, who confess that they do not know for certain that the Surire Lagoon is located in Pisagua and that the plan of the Delegation has been taken from many plans of the eastern section, the work of various authors relative to the borate region.

(f) Plan of the Delegation for Nitrate Revenue of 1896 which contains the words "the plain containing borate of lime" in the Department of Arica.

(g) An article published in *El Pacifico* of Tacna by the commanding officer of the First Military Zone, General Boonen Rivera, added as proof in a separate volume.

(h) Report of the engineer Caro Tagle, who proves that the

pasturages of Taruguiri belonged to the jurisdiction of Arica, according to the former Peruvian delimitation.

(i) Report of the expert Harding, who locates these pasturages in an east-south-west direction from the Surire or Chilcaya Lagoon, and from documents on pages 34 to 37 which prove that those pasturages are inscribed in the real estate registry of Arica.

(j) Record of a personal inspection on page 267 which states that neither the River Camarones, nor the Ajatama, nor any of their affluents were crossed to go from Arica to the borax deposits of Surire or Chilcaya.

(l) Documents contained on pages 18, 63 and 68 of the volume on proof of the respondents.

15th. That with regard to the proof by testimony the ruling of Article 150 of the Mining Code must be remembered, which forbids the hearing of more than ten witnesses on each side, while according to the laws on judgments, formerly in force, only thirty witnesses were allowed, this as far as concerns the proof by testimony given in the suit on competence, so that this Court in view of what has gone before and in appreciating the value of the proof submitted, considers the witnesses of both litigants equal in number and condition; for though, while it is certain that the witnesses for the respondents do not furnish proof of their allegations, on the other hand many of the witnesses for the petitioners, at least thirty of them, are not impartial since they possess either a direct or indirect interest in the suit, as appears from their own testimony; and others are not truthful when they testify that, to go from Arica to the Surire or Chilcaya Lagoon it is necessary to cross the Camarones River, which is an absolute false statement; some present hearsay testimony and give no authority for their statements, and those who are better educated and of better repute are not impartial, as happens with the engineers Solar Cortez and Remy, so that, as a result, it must be found that the facts have not been proven by this preliminary investigation held according to the contents of Article 374 of the Code of Civil Procedure.

16. That the *onus probandi* applies to the doer, especially in suits in replevin, for if domain is non-proven the respondent must be exonerated, since he holds possession of the legal presumption mentioned in paragraph 2, Article 700 of the Civil Code.

17. That from the contents of the preceding findings it ap-



pears that petitioners have not fully proved the facts which are the basis of their action, in the sense of producing evidence that the borate lots, subject of the issue on domain, are located in the Department of Pisagua.

18. That as a necessary consequence of the foregoing the present condition of the matter must continue, since the possessor is reputed legal owner until a third person shall have proved his right thereto. Now as respects the action in replevin:

19. That a suit for domain is that which the owner of any singular thing, of which he does not stand possessed at the time, may undertake to compel the actual possessor to return it.

20. That the above action is based upon the deed of bargain and sale of February 28, 1899, inscribed in the Mining Register of the Department of Pisagua.

21. That public documents deserve full faith as far as respects their having been granted and their date of issue, but not necessarily so as to the veracity of the statements which interested parties may have made therein, for as regards this point they only bear witness against the makers of such statements, while as concerns the obligations and undertakings they contain, the full proof only affects the signers and their heirs.

22. That as the vendors Vigil Zañartu and Polastri never held possession of the thing sold, that is, the physical possession in the sense of lord and master as defined in Article 700 of the Civil Code, it was impossible for the transfer of domain to the buyer to be consummated, and on this additional ground the petition is therefore improper because a suit in replevin presupposes possession of the thing it is sought to recover and the ability and intention of transferring domain on the part of the transferrer; while in addition the deed of bargain and sale previously mentioned refers, in agreement with the contents of the 17th finding, to the sale of some third person's property which is valid in law but without prejudice to the rights of the owner while such rights do not lapse through the course of time.

23. That on the other hand the borate lots involved are not specified and defined with sufficient precision, as may be seen from the deed of bargain and sale previously referred to, and also because from the respective titles thereof, it appears that it would be a physical impossibility to delimitate and survey in a single day—January 16, 1889—while the ground was flooded by water and with only a single engineer, Sr. Solar Cortez, to

carry out this task, eighty lots of borax deposits, each 50 "hectares" in extent, and which, for this reason could not be adequately specified in case of restitution.

24. That the Banco Aleman Trasatlantico has reserved all rights as granted by law, with respect to the vendors Vigil Zañartu and Polastri, who have, besides, been summoned in a suit for proof of good condition and clear title only as regards 1800 "hectares," as appears from the public deed on page 1.

Now as regards the priority of discovery and proof.

25. That Article of the Mining Code stipulates that the discoverer shall be held to be he who first shall have applied for registration, except in such cases where fraud may be proved to have taken place so as to forestall such registration or to delay that of the prior discoverer.

26. That the discoverer of a mine must declare his discovery before the judge of the department or before the Mayor who exercises the functions of this magistrate, according to the provisions of Article 29 of the Code above mentioned.

27. That the privilege which the State grants to a private persons is held to have been granted from the date of the judge's decree who orders the registration and publication thereof, and, to this end, the law enjoins the Secretary of the Court before which the denouncement shall have been made, that he shall likewise mention the hour of such registration, inscribe the same in his register containing numbered pages and furnish the applicant with a receipt upon request.

28. That as petitioners have not properly proved the location in Piscagua of the lots in litigation, the only competent judge has been the Judge of this Department, so that the Judge of Pisagua cannot have granted additional privilege respecting the same lots to petitioners which this court granted in the name of the State and with considerable priority in favor of the first discoverers who complied with the requirements on their discovery in Arica.

29. That petitioners and all others entitled to rights have complied with the requirements respecting their discovery before the Judge of the Department of Pisagua, who, as has been previously proved, was incompetent to grant the necessary mining concession.

30. That according to the titles which are added to the deeds on pages 17 and 369 and others of the papers in the suit, it is



satisfactorily proved that respondents declared their discovery prior to petitioners, who only registered their discovery in November, 1898 in Pisagua, while respondents registered theirs in 1894 in this port.

31. That respondents have secured, through registration and survey both legally confirmed, a definite and final title to the ownership of their borax properties, which they have worked, exploited, and protected by the payment of taxes, effected in the respective Treasuries of this Department.

32. That as the authenticity of the respective titles of the parties has not been impugned, it has not been possible to discuss such authenticity or absolute or relative nullity during the course of this action, so that on this account judgment thereon is not in order.

In view of these reasons, of the legal decisions already cited, and in view, also, of the provisions of Articles 28, par. 5, and 99 of the Political Constitution of the State; 3, 24, 588, 591, 670, 889 and 1691 of the Civil Code; Articles 2, 31, 32, 48, 58, 81, 134 and 165 of the Mining Code; Articles 151, 167, 331, 410, 427 and 431 of the Code of Civil Procedure and Articles 4 and 6 of the Law of October 15, 1875:

It is declared: That there are no grounds for the action in replevin, contained on p. 17, and that this Court is not competent to decide upon the matter of the boundaries between the Departments of Arica and Pisagua. Petitioners are not condemned in costs in view of the fact that they had plausible ground for litigation.

All the rights to which finding No. 24 refers are hereby maintained. Let the same be duly noted.

ALEJANDRO FUENSALIDA S.

The above sentence pronounced by the Judge of Arica, Sr. Alejandro Fuensalida S.

GUILLERMO MORANDÉ, SECRETARY.

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### No. 50

### Verdict of the Court of Appeals.

Tacna, January 3, 1905.

In this suit in replevin undertaken by the "Banco Aleman Trasatlantico" and others against José Espada and others, for the recovery of borax lots, the Court of Arica, under date of De-

cember 17, last, pronounced final sentence which appears inscribed on page 273 of the papers in the Case, which states that there are no grounds for the suit in replevin and that the Court is not competent to decide upon the matter of the boundaries between the Departments of Arica and Pisagua.

Following this sentence the attorney for the petitioners in the Court of Claims (Primera Instancia) has undertaken the suits of cassation and appeal.

The first of these suits is based upon the following grounds: (1) Failure to summon to hear sentence; (2) and as a consequence of the first, failure to summon for the presentation on proof, subsequent to July 15, last, a date on which, although summoned respecting the intention of delivering sentence, the summons was not compulsory owing to an appeal which had been granted and was then pending; (3) *ultra petita*; (4) want of a verdict on a matter in controversy; (5) different omissions and irregularities in the procedure respecting which petitioner duly objected and recorded such objection in the papers of the Case pp. 201 and 217 of the Ordinary volume.

With regard to the first ground petitioner exhibits the following considerations in support: That the Court, by writ of July 15, last, appearing on page 197, issued a summons to advise respecting the intention to deliver sentence; that he appealed against the whole contents of the writ on July 16 and the Court granted the appeal on August 17, as appears on page 216, a matter which could not be granted before this date owing to a want of jurisdiction because the recusation was then pending; that upon the proceedings being carried to this Tribunal, sentence was pronounced on August 23, as appears on page 225, confirming the writ of August 17 of the Judge of the Primary Court which had not been appealed against. Therefore, the consequent appeal against the verdict of July 15 summoning to advise the issuing of the approaching sentence, is still pending and appears on page 97.

Respecting the second ground, petitioner states that, as a consequence of the above exposition all presentation of proof subsequent to July 15, is void, such as that for the appointment of experts, personal inspection, report of experts, affidavits obtained in Surire and Arica and all such other proceedings relative to exhibition of proof. "My Client," states the attorney, "has not been legally summoned as regards such proceedings because the



writ of July 15, which is still pending, and which refers to the principal action, states that the personal examination by the Court must be carried out and the appointment of experts effected; and with reference to the additional petition contained in respondent's reply, the Court issued a summons to appear for the purpose of deciding the appropriate measures to be taken in regard to the points therein mentioned, dealing with such personal examinations."

And having enumerated a few passages from the verdict which refers to the report of the expert Harding, and to the personal examination carried out, petitioner concludes his objection on this point stating that, the verdict having been based upon the probative value of the several proceedings to which his client has not been legally summoned, the ground of nullity is operative, as established in section 9 of Article 941 and section 5 of Article 966 of the Code of Civil Procedure.

The third ground for cassation is based upon the fact that the verdict states "that the Court is not competent to decide upon the matter of the boundaries between the Departments of Arica and Pisagua." But since neither the petition nor the reply contain any such juridical thesis or legal point submitted to the decision of the Court, the sentence is *ultra petita*, since it grants more than was demanded by either side and extends the verdict to points which were not submitted to the decision of the Tribunal, which is a ground for nullity as established in section 4 of Article 941 of the Code of Civil Procedure.

The fourth ground is based upon the 32nd finding of the second verdict, which reads: "That the validity of the respective titles on both sides never having been impugned, it has not been possible either, to discuss in this suit, the matter of their validity or absolute or relative nullity, and that for this reason no decision can be expected thereon."

The contents of this finding, states petitioner, is completely inaccurate. The whole case has revolved upon the validity or nullity of the titles. Thus the suit in replevin on pages 17, in its principal paragraph, reads: "I request Your Excellency to declare that there are grounds for this suit condemning the persons named to restore all and everyone of the borax lots, purpose of the action, and in addition the earnings, etc., because my share of the property has been fraudulently occupied with no title whatever thereto." Respondents have replied stating that

their titles are the true ones and those of petitioners invalid.

Sentence, therefore, has not been rendered on the real point at issue of the action, nor is there any decision as regards the controverted matter, sufficient cause for proceedings in nullity as established in section 6 of Article 193 and section 5 of Article 941 of the Code of Civil Procedure.

The fifth cause for proceedings in nullity, as has been previously stated, is based upon errors or defects which applicant pointed out to this Tribunal in several applications. For instance, on pages 201, it may be noticed that confirmation of the verdict of the Primary Court (which provides that, owing to the default of petitioners, the papers in the Case be submitted for ten days to the respondents to effect their plea of well-proven), has left his clients defenseless and has violated the provisions of Articles 81 and others following of the Code of Civil Procedure, which treat of defaults. On page 217 application was made to this Tribunal for a reconsideration of the sentence which denied admission to a deed of fact, and also, on being denied, that such petition be added to the records and that the declarations be considered as duly made, as provided for in Article 946 of the Code of Civil Procedure.

The records which deal with this petition have been ordered brought for inspection.

Considering the first and second grounds :

1. That in the verdict rendered on August 17, last, recorded on page 115, the decree of July 15 was ordered complied with in all its particulars which advised the parties of the approaching sentence, without prejudice to the conditions brought about in the suit owing to such decision, and that before final sentence be pronounced the personal inspection by the court and the appointment of experts already agreed to, be effected, so as to be better able to reach a decision.

2. That petitioner had due notice of the legal purpose and scope of the referred-to summons of August 17, as appears from his application on page 221, which was accepted on August 25, wherein, while referring to said summons he states that, as such summons is equivalent to a citation of the approaching sentence, he protests against the Court proceeding to hear proof in the action since this would contravene the provisions of Article 437 of the Code of Civil Procedure.

3. That since petitioner had due knowledge of the progress of



the action, the fact that a summons had been issued twice in a citation for appearance to appoint experts who could assist the Court during the personal inspection it was to carry out, there being no doubt that the first summons was effected according to the request contained in the fourth additional plea of the deed on page 160, proves that such inspection must be undertaken without prejudice to the provisions of Article 169 of the Code of Civil Procedure, which prescribes the time within and the manner in which tribunals must impersonally conform to when pronouncing sentence.

4. That, finally, petitioner himself was present at the citation to appear which he describes on page 236, during which the appointment of experts was gone into, and notification of the decree appointing Josaias Harding as such given out, as appears from the record on page 236, the engineer Arturo G. MacDonald being selected as the representative for this personal inspection.

5. That the records and other documents in the case prove that petitioner was aware three months prior to the award of the Court, that the parties were summoned to hear it, and nevertheless he did not protest against the decree of August 17, so frequently mentioned, neither on account of its form nor of the incompetency or want of jurisdiction of the Judge who pronounced sentence nor on any other grounds.

6. That according to the provisions of Article 846 of the Code of Civil Procedure for the appeal in cassation to be accepted in due form, it is required that the petitioner who lodges the appeal shall claim against any irregularities, taking advantage at the proper time of the recourse established by law in all its degrees.

7. That as a consequence the appeal cannot be admitted on the first and second grounds as alleged, because whatever the importance of the defects or irregularities complained of may be, no claim was lodged at the proper time.

Considering the third ground:

8. That even in the supposition that the matter of the delimitation of the boundaries had not been submitted to the Tribunal, the declaration of incompetence to settle this point would not imply a verdict *ultra petita* because the verdict does not decide anything thereon; so that as a natural consequence the ground alleged would legally be operative only in a contrary sense, that

is, if the Judge had attempted to decide matters in his verdict which were not submitted to his decision.

Considering the fourth ground:

9. That the same paragraph of the appeal which petitioner cites as being in his favor in the action is that of replevin or of domain, since the appeal demands "the restitution of all and everyone of the borate lots, purpose of the action, because respondents had fraudulently and with no legal title thereto taken possession of the property belonging to my client," from which it would appear that the absence of legal title is, in the opinion of petitioner, one of the grounds of the action but not the action itself, which, as has been stated, is one in replevin and has been judged according to the sentence.

Considering the fifth ground:

10. That the irregularities in procedure which are exhibited in this objection, refer to sentences issued by this Tribunal, proceeding on appeal, which prevents their being sustained against a sentence in the Primary Court.

Due to these considerations and further, in view of the provisions of Article 946 already mentioned, 957 and 960 of the Code of Civil Procedure, we find that there is no ground for cassation with costs, the records being ordered returned to the parties for the expression of their remarks.

Let the above be published. Drafted by the President, Cisternas Peña.

*E. Cisternas Peña; E. Barros; P. R. Vega; M. A. Quirell; M. Vargas Mardones.* Decree by the Court of Appeals.—*E. Martinez R.*, Secretary.

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## No. 51

**Report of the Ministry of Foreign Affairs, Public Worship and Colonization of Chile, presented to the Chilean National Congress in 1902, on pages 157, *et seq.***

"Once the Chilean Legation had been appointed to Bogota, various negotiations were undertaken with the Government of Colombia, not only for the purpose of creating greater sympathy between both countries, but tending likewise to strengthen their political and commercial intercourse.

"To this effect a protocol has been signed for the negotiation



of treaties of amity, commerce and navigation, upon the basis of generous and reciprocal concessions.

“In a like manner the first steps have been undertaken for the conclusion of other treaties which, such as those of extradition, exercise of the liberal professions and exchange of publications, may contribute to create in both countries bonds of friendship and reciprocal advantages.

*“The Government of Colombia has given us, in this connection, unmistakable proofs of deference and friendship which deserve our gratitude and entitle us to believe it to be closely bound to Chile. These negotiations are about to be perfected by the conclusion of final treaties, according to the basis agreed upon.*

“For the purpose of reciprocating this *amicable and unequivocal friendliness on the part of the Government of Colombia, that of Chile agreed to cede to that country a cruiser from our navy*, which is no longer, according to the opinion of Chilean naval officers, considered adequate for service in the Chilean navy.

“This sale having been proposed according to instructions given to the Minister of Chile by the previous government, the present administration has confirmed it, stipulating that payment shall be effected for ready money and conditional upon securing consent to a sale on reversion within a given time, during which the cruiser would have to be kept in Pacific waters. The Government of Colombia further agrees, for the better care of the ship, to receive on board such superior officers as the Government of Chile may consider it necessary to appoint and also to employ in preference Chilean seamen among the crew of the cruiser during the period of sale on reversion.

“This transaction which consolidates our friendship with Colombia and is conducive to securing for our (this) country a greater military influence in the Pacific, has been delayed owing to a revolution which may have caused the impression to arise that the cession of the Chilean ship was an intervention in favor of one of the contending parties.

“The Government of Chile has not seen it in this light when approving the agreement undertaken by its Representative in Bogota, for it only made this agreement dependent upon two conditions: The authorization of the Chilean Congress required for the disposal of one of the State’s vessels, and the circumstance that the present relations with the Argentine Republic could warrant the

relinquishment of a ship which, although not powerful, is nevertheless a unit of our naval power.

“Information in the hands of this Department authorizes us to believe in the stability of the present Government of Colombia. The revolution is confined to a very limited area; it does not possess a constituted government; its forces do not occupy a territory of any appreciable extent; and it has not been recognized by any foreign government, notwithstanding the interest in this direction which some republics of Central America and Venezuela might have had.

“At all events the Government hopes to receive further information so as to go on with the business of the delivery of the ship once the authorization from Congress shall have been received, so that its actions may conform to the most scrupulous interpretation of legality.”

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“The Government of Chile, inspired by the friendship which binds it to Ecuador and by the repeated proof of deference it has received from its government, *has managed to influence the settlement of the questions at issue between that country and Colombia.*

“To this effect it has invited both Governments to sign a treaty which stipulates the existence of the most perfect accord between the contracting parties, the Governments of Colombia and Ecuador undertaking to directly settle such differences as might arise between them and to submit these, in case of disagreement, to the decision of the Government of Chile.

“Both these negotiations with Ecuador as well as those which have been described relating to Colombia, have not as yet reached their final stages, *so it is therefore impossible to furnish ampler details thereon in this report*, while we would, for fuller information on the subject, call attention to the previously mentioned circular of the 25th of April, last.

“It is to be hoped that once these (negotiations) are concluded, not only shall the close solidarity which today subsists between both nations have been achieved, encouraging their development and commerce, *but Chile shall have advanced still one more step forward towards the recovery of that influence which legitimately is hers in America due to her organization and her progress.*

“The Government of Ecuador has shown some interest to secure one of the cruisers of our navy, and all that is wanting is the legislative authority required to continue this transaction.



The text of this Chilean Law appears in No. 2261 of the Official Gazette, *Diario Oficial* of Chile, and is reproduced in Volume II of the Laws Promulgated in Chile from 1810 to the 1st of June, 1912, by Ricardo Anguita, a work which is to be found in the library of the Pan American Union.

“Santiago, October 31, 1884.

“Whereas: The National Congress has approved the following:

“Article 1. The Territories of Tacna and Arica shall be considered as forming one Province of the Republic and shall be called Tacna, and be given the following boundaries:

“To the north the River Sama from its source in the Cordillera conterminous with Bolivia up to its mouth on the ocean; to the south the Camarones Gap; to the east the Republic of Bolivia and to the west the Pacific Ocean.

“Article 2. The Chilean law shall be in force in the new Province and its inhabitants shall enjoy the same guarantees as are furnished by the Constitution to the rest of the Republic.

“Article 3. The Province of Tacna shall be divided into two departments called Tacna and Arica.

“Article 4. The Department of Tacna shall be given the following boundaries: To the north, east and west the boundaries which have been given to the Province; to the south the Cauñani or Hospicio Gap.

“Article 5. The Department of Arica shall include the Port of the same name and shall be given the following boundaries: to the north the Department of Tacna; to the east, south and west the boundaries of the Province.

“Article 6. The capital of the Province and of the Department of TACNA shall be the City of this name; and that of the Department of Arica, shall be the City and Port of that same name.

“Article 7. The Intendency of Tacna shall have the following officials who shall be paid the salaries which are expressed hereafter:

	<i>Pesos</i>
One Intendente.....	8,000
One Secretary.....	3,000
A Chief Clerk, in charge of the Statistical Department.....	1,800
A Deputy Chief Clerk.....	1,300
A Third Clerk in charge of the Records.....	1,000
An Assistant Clerk.....	800

“Article 8. The governorship of Arica shall have the following officials with the annual salaries which are assigned to them:

	<i>Pesos</i>
A Governor.....	4,000
A Secretary.....	1,800
A Clerk.....	1,000

“Article 9. Upon being retired the officials mentioned in this Law shall be entitled to 50 per cent of the salaries which have been assigned to them.

“Article 10. In each of the Departments of the Province the President of the Republic shall appoint three mayors (*alcaldes*) every three years, so that they may exercise the functions thereof, together with the usual attributes and obligations in their respective departments as expressed by the Law of August 24, 1876.

“They will likewise undertake, during the same period together with the respective ‘Intendente’ and governor, the functions of local administration, as stipulated by the Law on the Organization of Municipalities.

“And therefore: The Council of State having been consulted I have agreed to approve and sanction this Law.

“Therefore let the same be promulgated and executed as a Law of the Republic.

DOMINGO SANTA MARIA.  
JOSE MANUEL BALMACEDA.

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### No. 53

(From the Memoria de Relaciones Exteriores de Chile, 1888,  
page 82)

No. 44.

LEGATION OF CHILE,  
*Lima*, October 29, 1886.

MR. MINISTER:

The Official Gazette of Peru, of the 14th of the present month, has, with the approval of his Excellency the President of the Republic, published the text of a law passed by the Congress of the Nation, which authorizes the Executive Power of Peru to appoint a Prefect to the Department of Tacna, and Sub-Prefects and Judges of the Primary Court of Claims to the Provinces of Tacna and Tarata.

The general terms of the law in question would seem to include, in the opinion of my Government, the Territories of the *Provinces of Tacna and Arica*, the possession and administration of which are exclusively Chile's for the space of ten years, according to Article 3 of the Treaty of October 20, 1883; should this be in fact, the case, the undersigned, in his capacity as Representative of Chile, would be compelled to protest to the Government of your Excellency against this law.

Your Excellency has been good enough to inform me, during verbal conferences, that the law to which I refer only affects that part of the Department of Tacna not included in the Treaty of



October 20, and I have much pleasure to declare to your Excellency that I have given the fullest credence to these explanations.

However, so as to avoid any subsequent misinterpretation which might arise due to the ambiguity of the Law of October 12 of this year respecting the Department of Tacna, and so as to safeguard the rights in that Department granted to the Government of Chile by the Treaty of October 20, 1883, against any future emergency, I would be obliged to your Excellency to inform me in reply to this note what interpretation does the Government of Peru give to this Law, and whether it relates in any way to the Territories at present in the possession of Chile.

I take advantage of this occasion, etc., etc.

B. ALAMOS GONZALEZ.

To His Excellency, Dr. Ramón Ribeyro, Minister of Foreign Relations of Peru.

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## No. 54

MINISTRY OF FOREIGN RELATIONS.

LIMA, *October 30, 1886.*

MR. MINISTER:

I have had the honor to receive Your Excellency's communication dated yesterday, in which you inform me that the Official Gazette of the 14th of this month has published, with the sanction of His Excellency, the President of the Republic, the text of a law passed by the Congress of the Nation, by which the Executive Power of Peru is empowered to appoint a Prefect to the Department of Tacna and Sub-Prefects and Judges of the Primary Court of Claims to the Provinces of Tacna and Tarata; your Excellency stating that the general terms in which this law is drafted would seem to include within its stipulations, in the opinion of Your Excellency's Government, the Territories of the Provinces of Tacna and Arica, whose possession and administration are exclusively Chile's for the term of ten years, according to Article III of the Peace Treaty of October 20, 1883; and that in case this should be so, Your Excellency, as Representative of Chile, would be compelled to present a formal protest against this law.

Your Excellency then reminds me that, in verbal conferences I have informed Your Excellency that the above-referred-to law merely relates to that part of the Department of Tacna which is not included in the Treaty of October 20, and that Your Excellency

has therefore accorded the fullest confidence to those explanations.

Your Excellency concludes by expressing the wish that so as to avoid any future misunderstandings which the ambiguity of the Law of the 12th instant relative to the Department of Tacna might cause to arise, and so as to safeguard the rights granted to the Government of Chile, in respect to that Department, by the Treaty of October 20, 1883, against any future emergency, Your Excellency would be obliged if in my reply I would inform you what interpretation the Government of Peru gives to this law and whether it relates, in any way, to the Territories in Chilean occupation.

The obligations of loyalty which my Government will ever observe under all circumstances, compel me to immediately reply to Your Excellency's above mentioned dispatch, renewing the explanations which I personally gave to Your Excellency relative to the meaning and scope of the Law which is solely meant to regulate the administrative and judicial situation in that portion of the Department of Tacna which is not comprised in the possession which Chile has been given for ten years of a certain part of that Territory, as stipulated in the Peace Treaty of October 20, 1883.

The Government of Peru being determined to scrupulously observe the agreements which bind the nation, and fully convinced of the spirit in this same sense with which this latter is imbued, does not hesitate to give Your Excellency the fullest assurances upon the point in question: to the effect that the Law of the 12th instant, relating to appointments of political authorities in the Department of Tacna, in no manner affects the engagements undertaken respecting the portion of that territory where the Republic of Chile is in occupation for the period and extent stipulated in Article 3 of the Peace Treaty already mentioned, of October 20, 1883.

Hoping that this frank explanation will be sufficient for the purpose of dissipating any uncertainty relative to the scope, as considered by the Government of Peru, of the law which has made this explanation necessary, I have the honor to renew to your Excellency the assurances, etc., etc. . . .

R. RIBEYRO.

To His Excellency Señor Benicio Alamos González, Envoy Extraordinary and Minister Plenipotentiary of Chile.



**Testimonial signed by 424 residents of that portion of the Province of Tarata being usurped and occupied de facto by Chile.**

The undersigned, denizens of Tarata, Capital of the Province of the same name, in the Department of Tacna, in public meeting assembled for the purpose of deciding with regard to the interests and expectations of the aforesaid Province, have resolved:

To declare to the Nation (Peruvian), to her Governing Officials and Representatives that, following upon an impartial examination of the Billinghamst-Latorre Protocol, they have found that all its clauses are worthy of the most decided support, and among these, that which directly concerns this Province (see Article 14 on page 340 of the Appendix to the Case of Peru), a clause which maintains in force and compels the Chilean Negotiator to implicitly recognize the rights and claims of the National Government, safeguards and effectively prepares for its definite reincorporation to the Fatherland, and in concrete fashion guarantees the addition of the votes of this Province, which is the most densely populated and the most genuinely Peruvian of the Department, to the grand total of the ballot in the plebiscite, since these votes of theirs represent more than a quarter of the total of the votes to be cast in the plebiscite.

We solemnly declare to the Nation, in addition to the above, that, due to the special conditions prevailing in the Province, to the unquestionable numerical superiority of the Peruvian population and the almost complete absence of alien inhabitants, who hardly amount to the inconsiderable proportion of 4 per cent, the success of the plebiscite is foreshadowed as a significant and irresistible victory for the Peruvian cause; a partial victory which will insure the general triumph of the Department.

To transmit to the Representatives of the Nation, in Extraordinary Sessions of Congress Assembled, the solemn and pre-eminent mandate to approve the Billinghamst-Latorre Protocol on the score of the dictates of a prudent patriotism, of a spirit of justice and of the legitimate requirements of the irredentists' populations.

To impress this solemn mandate upon the Representatives of the Department of Tacna in the most explicit fashion, so that the rest of the Representatives of the Nation may learn from the patriotic and disinterested conduct of the former, where their steadfast duty lies.

To uphold with all their strength and devotion the patriotic determination of the sister cities of Tacna and Arica and the district belonging thereto, for the attainment of their long-wished-for and common deliverance. Tarata, June 26th, 1898.

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No. 56

Report of the Peruvian Minister of Foreign Affairs, Sr. Chacaltana, July 28, 1887, pages 6 and 7.

One of the matters of higher importance with regard to whose study and negotiation the greatest insistence has been devoted so as to secure its solution, is that relative to the illegal occupation by the forces and authority of Chile, of *various districts of the Province of Tarata*, among which is the district of this same name.

The Government of Peru has maintained that the logical meaning of Article III of the Peace Treaty, the true source and course of the River Sama, as well as the nature of the discussions which preceded the drafting of that same Article III, as well as the success obtained in these conferences, fully proves the justice of the claim put forward by us. To this should be added other antecedents and circumstances which, at the proper time shall be advanced in support of our rights.

The Chilean Government insisting upon ideas previously exchanged, has proposed the appointment of a Peruvian-Chilean Technical Commission, to ascertain the source and course of the River Sama. Even should this have any importance in determining the extent of territory which is legitimately in Chilean occupation by the authorities of the Province of Tacna, it has no bearing upon the *districts in occupation of the Province of Tarata*, since not the slightest reference *to this Province* is to be found in Article III which contains the Agreement to the temporary occupation of the Territories of Tacna and Arica, bounded on the north by the River Sama.

The foregoing notwithstanding, the Government is collecting corroborative data referring to the opinions it sustains, it approaches the matter in an impartial spirit and, trusting to the declaration made by the Government of Chile to our Plenipotentiary in Santiago, respecting its desire to scrupulously carry out the Treaty, further instructions will shortly be sent to our Diplomatic Agent in question, which will be inspired as usual by the desire to reach a satisfactory and friendly agreement. On our



side, we are making special efforts to secure the evacuation of the districts above referred to, as soon as possible, both because it is a matter which affects the completeness of the national territory and because, according to Article I of the complementary protocol of the Treaty of Ancon, the Chilean forces and authorities were only entitled to occupy that portion of the territory which was not ceded either temporarily or definitely until the ratification of the Peace Treaty had taken place, but not subsequent to its ratification; while such occupation never should have embarrassed or hindered in any way the full and free exercise of the jurisdiction which belonged to the National Authorities of Peru. Therefore, once the performance of the stipulations consigned in the Treaty was begun as a first step, they should have proceeded to evacuate all the portions of Peruvian territory which were not included in the cession agreed upon, and among these, the *entire Province of Tarata*.

It is to be hoped that due to the moderation exercised in this discussion and the earnest endeavors which the two Governments are making, for the purpose of consolidating the friendship of both countries, a result, satisfactory to the well founded and fervent patriotic aspirations, will shortly be forthcoming.

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